

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR SKAGIT COUNTY

EDWARD & LYNNE BORLIN,
DAVID & PAMELA KNUTSEN,
NOLAN BERLIN & MILLICENT
SWIETZER, and KEVIN & JENNY
WELCH,

Plaintiffs,

v.

PREDATORS OF THE HEART, a
Washington nonprofit corporation,
ASHLEY CARR, DENISE
COLEBURN, and WILLIAM
COLEBURN,

Defendants.

No. 22-2-00526-29

COMPLAINT

Edward and Lynne Borlin, David and Pamela Knutsen, Nolan Berlin and Millicent Swietzer, and Kevin and Jenny Welch (collectively, "Plaintiffs") bring the following claims against Predators of the Heart, Ashley Carr, Denise Coleburn, and William Coleburn (collectively, "Defendants").

INTRODUCTION

Predators of the Heart ("Predators") sells "encounters" with a host of dangerous wild animals, including wolves and/or wolf-hybrids, cougars, and alligators, all of which are housed in close proximity to residential properties and community forest land. The "encounter" centers

1 around customers' ability to "touch, photograph, and even howl with wolf dogs." Predators' "wolf
2 dogs" have escaped onto private property and public forestland on numerous occasions—most
3 recently in June 2022—resulting in the killing of at least one neighbors' dog. Predators' operation
4 violates numerous State and County laws and ordinances prohibiting possession and breeding of
5 potentially dangerous wild animals, escaped wildlife, and excessive noise, and poses a substantial
6 threat to the safety and well-being of Plaintiffs and others residing near the facility, as well as
7 visitors to the nearby forestlands. Predators' acts and omissions constitute a public and/or private
8 nuisance entitling Plaintiffs to injunctive relief and damages.

9 **PARTIES**

10 1. Edward and Lynne Borlin are a married couple and residents of Skagit County,
11 Washington. Mr. and Ms. Borlin reside at 4577 Welch Lane on Fidalgo Island in Skagit County,
12 Washington. Their property is immediately adjacent to the Predators facility.

13 2. David and Pamela Knutsen are a married couple and residents of Skagit County,
14 Washington. Mr. and Ms. Knutsen reside at 4592 Welch Lane on Fidalgo Island in Skagit County,
15 Washington. They live in close proximity to the Predators facility.

16 3. Nolan Berlin and Millicent Swietzer are a married couple and residents of Skagit
17 County, Washington. Mr. Berlin and Ms. Swietzer reside at 4548 Welch Lane on Fidalgo Island
18 in Skagit County, Washington. They live in close proximity to the Predators facility.

19 4. Kevin and Jenny Welch are a married couple and residents of Skagit County,
20 Washington. Mr. and Ms. Welch reside at 11363 Spinnaker Lane on Fidalgo Island in Skagit
21 County, Washington. Their property is immediately adjacent to the Predators facility.

22 5. On information and belief, Predators is a Washington nonprofit corporation that
23 operates at 4709 Welch Lane in Skagit County, Washington, assigned Skagit County parcel
24 number P128398 (hereinafter, the "Property").

25 6. On information and belief, Ashley Carr is a resident of Skagit County, Washington
26 and the director and/or owner of Predators.

1 12. Predators identified the following animals housed on the Property as of March 23,
2 2022: 24 wolves/wolf-hybrids, 3 cougars, 5 alligators,
3 1 rattlesnake, 2 reticulated pythons, 4 ball pythons, 2 Burmese
4 pythons, 1 carpet python, 1 albino python, 1 blood python,
5 1 rainbow boa, 2 bobcats, 1 fox, 3 sloths, 1 armadillo,
6 2 opossums, 1 coatimundi, 2 marmosets, 1 giant anteater,
7 1 porcupine, 2 skunks, 3 sloths, 2 kinkajous, 4 raccoons,
8 1 Eurasian eagle owl, 1 vulture, 2 ducks, 3 pheasants,
9 6 macaws, 7 cockatoos, 27 parakeets, 2 Amazon parrots,
10 2 cockatiels, 1 emu, 1 blue-tongued skink, 1 Savannah
11 monitor, 2 iguanas, 1 caiman lizard, 1 beaded lizard, and
12 6 tortoises. A copy of Predators' Special Use Permit
13 Application for Parcel No. P128938, which identifies the
14 animals listed above, is attached hereto as **Exhibit A**.



15 13. Predators offers paid tours as an Airbnb



16 “Experience.” Predators’ Airbnb Experience, called
17 “Howling with Ambassadors,” costs \$200 per person
18 and is offered six days a week. Up to ten people can
19 participate in this “hands-on wolf encounter,” and there
20 are up to 120 visitors on the Property each week. A copy
21 of Predators’ Airbnb listing is attached hereto as
22 **Exhibit B**.

1 14. As advertised on Airbnb, Predators' "Howling with Ambassadors" Experience
2 allows customers to "touch, photograph, and even howl with wolf dogs[.]"



11 15. At least one customer has complained of being injured by a wolf bite during her
12 tour at Predators. A copy of that review is attached hereto as **Exhibit C**.

13 16. Predators breeds wolves and/or wolf-hybrids to use as "ambassador wolves" that
14 interact directly with customers.

15 17. Predators recently acknowledged in its Special Use Permit Application that "none
16 of the wolves housed by [Predators] are rescues."

17 18. On information and belief, Predators has sold its wolf-hybrids.

18 19. Predators is, as of the date of this filing, selling paid tours through Airbnb.

19 20. Airbnb customers looking for the Property often become lost and inadvertently
20 intrude on Plaintiffs' and other neighbors' private property.

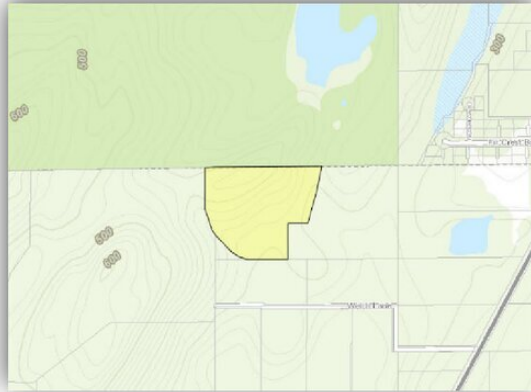
21 21. The large number of customers visiting the Property on a daily basis results in an
22 unreasonably high volume of commercial traffic on surrounding residential roads.

23 **B. The Property**

24 22. The Property is zoned as "rural reserve"—*i.e.*, "transitional areas between resource
25 lands and non-resource lands for those uses that require moderate acreage and provide residential
26 and limited employment and service opportunities for rural residents." SCC 14.16.320.

1 23. The Property is located in a quiet residential neighborhood. It is surrounded by, and
2 in close proximity to, homes belonging to Plaintiffs and numerous other residents.

3 24. The Property (depicted below in yellow) is bordered on the north by the Anacortes
4 Community Forest Lands (depicted below in dark green), which contain miles of multi-use trails
5 regularly used by hikers, bikers, and dogwalkers.



13 25. William and Denise Coleburn purchased the Property in 2009.

14 26. Predators purchased the property from William Coleburn on March 2, 2022.

15 27. A special use permit for an animal preserve or sanctuary is, and has been, required
16 for the Property since at least 1992.

17 28. In 2014, the Coleburns applied for an “animal preserve” special use permit. That
18 application was never granted.

19 29. On March 23, 2022, Predators applied again for a special use permit. Its application,
20 attached hereto as **Exhibit A**, is pending.

21 30. Plaintiffs opposed Predators’ application. A copy of Plaintiffs’ Written Comment
22 Opposing Special Use Permit, dated May 6, 2022, is attached hereto as **Exhibit D**.

23 31. Predators has, as of the date of this filing, never obtained a special use permit for
24 the Property.

25 32. On information and belief, Predators was instructed by the County to cease all
26 operations pending resolution of its application. Predators has nevertheless continued to operate.

1 **C. Threats to public safety and well-being**

2 33. Over the last decade, wolves and/or wolf-hybrids have repeatedly escaped from the
3 Property and entered residential properties and the Anacortes Community Forest Lands.

4 34. On December 26, 2017, the City of Anacortes issued a News Flash about warning
5 signs it had posted in the Community Forest Lands. The signs advise that “wolves have escaped
6 their enclosure on to neighboring properties and the [Anacortes Community Forest Lands],” and
7 that residents and visitors should “use caution when walking with children and dogs.” The City
8 referenced two specific escapes described in police reports: one in 2017 where “a wolf escaped an
9 enclosure and went on to private land adjacent to the animal refuge,” and another in 2012 where a
10 wolf “was captured in the [Anacortes Community Forest Lands].” A copy of the City’s News Flash
11 is attached hereto as **Exhibit E**.



21 35. As to the 2012 escape, Anacortes Animal Control captured the wolf after William
22 Coleburn reported that he was looking for his “white female German Shepherd mix.” The wolf
23 destroyed the Animal Control vehicle.

24 36. In late 2021, the *Skagit Valley Herald* reported on another escape, this time
25 involving three escaped wolves that “attacked and killed a neighbor’s dog” before they were
26 captured by the Sheriff’s Office Animal Control unit. The source also reported that a wolf had

1 escaped the facility in 2017 by “jump[ing] a 7-foot electric fence.” A copy of the article, dated
2 October 19, 2021, is attached hereto as **Exhibit F**.

3 37. Predators represented in March 2022 that its “wolf enclosures are at least 6’-8’ feet
4 high.”

5 38. Plaintiffs have seen wolves on their properties on numerous occasions other than
6 those documented in the media, including as recently as June 16, 2022.

7 39. This most recent escape occurred just months after Predators represented to the
8 County that its “chief consideration is safety[.]”

9 40. Predators posted a video to social media on May 23, 2020 in which an employee
10 explained that “wolves know when kids are kids, and they act on that.” The employee also
11 described certain wolves “that you don’t get to go in [their enclosures] with because they’re a little
12 temperamental with people,” and one wolf that is “not nervous around people at all, which
13 sometimes makes him a little scary.”

14 41. Predators posted another video to social media on August 13, 2020 describing
15 certain wolves as “pretty aggressive,” “very bitey,” and “temperamental.”

16 42. Despite the history of escapes, Predators admitted in its Special Use Permit
17 Application, attached hereto as **Exhibit A**, that there are no employees on the Property in the
18 evening and early morning hours.

19 43. Inexplicably, Predators’ “Safety Protocols,” discussed in its Special Use Permit
20 Application, do not mention notifying neighbors in the event of a dangerous animal escape.

21 44. Plaintiffs have never been notified by Predators of any escape.

22 45. Plaintiffs have, in fact, notified Predators about the escape of Predators’ own
23 wolves.

24 46. Skagit County Animal Control has received numerous complaints concerning the
25 Property.
26

1 47. Animal protection organizations, including the Animal Protection Institute, have
2 complained about Predators' operation.

3 48. Predators misrepresented in its March 2022
4 application to the County for a special use permit that there has
5 been only one wolf escape from the Property, which it claims was
6 "instigated by a leashless dog." Predators euthanized the wolf.

7 49. Plaintiffs live in perpetual fear of another wolf
8 escape and attack.

9 50. Plaintiffs are subjected to the unreasonably loud
10 howls and screeches of two dozen wolves/wolf-hybrids and
11 cougars, at all hours, including at night.

12 51. Plaintiffs are subjected to an unreasonably high
13 volume of commercial traffic on residential roads.



14 **D. Skagit County litigation**

15 52. In 2015, Skagit County sued Predators, William Coleburn, and Denise Coleburn
16 for violating Washington's Dangerous Wild Animals law, RCW 16.30.030, and Skagit County's
17 Potentially Dangerous Wild Animals ordinance, SCC 7.04.030, seeking civil damages, injunctive
18 relief, and permission to seize the animals. That complaint is attached hereto as **Exhibit G**.

19 53. The case was dismissed for lack of prosecution in 2017.

20 **E. Controversy between the parties**

21 54. Plaintiffs have informed Defendants numerous times, over the course of many
22 years, about the various issues stemming from Predators' operation, including escapes, excessive
23 noise, and unreasonable traffic.

24 55. Defendants took no action to address these issues.

25 56. On May 24, 2022, Plaintiffs sent Predators a cease-and-desist letter outlining their
26 concerns and asking that Predators withdraw its pending Special Use Permit Application, remove

1 all signage directing people to the Property, and halt all public animal encounters. A copy of that
2 letter is attached as **Exhibit H**.

3 57. Predators ignored Plaintiffs' letter and continues to operate in flagrant violation of
4 the law.

5 **FIRST CAUSE OF ACTION**
6 **PUBLIC NUISANCE – RCW 7.48.130**

7 58. Plaintiffs reallege and incorporate the preceding paragraphs as if fully set forth
8 herein.

9 59. Under RCW 16.30.030(1), in full force and effect at all times material herein, “[a]
10 person shall not own, possess, keep, harbor, bring into the state, or have custody or control of a
11 potentially dangerous animal.” Potentially dangerous wild animals include wolves, captive-bred
12 cougars, alligators, and rattlesnakes. RCW 16.30.010(1).

13 60. Under SCC 7.04.030, in full force and effect at all times material herein, “[a] person
14 may not own, possess, keep, harbor, bring into the County, or have custody or control of any
15 potentially dangerous wild animal within the unincorporated area of Skagit County.” Potentially
16 dangerous wild animals include wolves, wolf-hybrids, all cougars, alligators, and rattlesnakes.
17 SCC 7.04.010. Violating “SCC 7.04.030 is detrimental to the public health, safety, and welfare
18 and is declared to be a public nuisance.” SCC 7.04.060(1).

19 61. Upon information and belief, Skagit County amended SCC 7.04.010 to include
20 wolf-hybrids because the County’s research showed that wolf-hybrids are often bigger and more
21 aggressive than regular wolves.

22 62. Under RCW 16.30.030, in full force and effect at all times material herein, “[a]
23 person shall not breed a potentially dangerous wild animal.”

24 63. Under WAC 220-450-030, in full force and effect at all times material herein,
25 “[e]scaped wildlife is considered a public nuisance.”
26

1 64. Under WAC 173-60-040, in full force and effect at all times material herein, “[n]o
2 person shall cause or permit noise to intrude into the property of another person which noise
3 exceeds the maximum permissible noise levels,” which, for lands where human beings reside and
4 sleep, is no louder than 55 dBA between 7:00 a.m. and 10:00 p.m. and no louder than 45 dBA
5 between 10:00 p.m. and 7:00 a.m.

6 65. SCC 9.50.040, in full force and effect at all times material herein, makes it
7 “unlawful for any person to cause, or for any person in possession or control of property to allow,
8 sound to originate from the property that exceeds the noise level permitted by Chapter 173-60
9 WAC.” Furthermore, “[i]t is County policy to minimize the exposure of citizens to the harmful
10 nuisance . . . of excessive noise[.]” SCC 9.50.010.

11 66. Predators’ acts or omissions constitute nuisance as a matter of law, in violation of
12 the statutes, regulations, and ordinance mentioned herein.

13 67. Predators acts or omissions described herein, including the possession and breeding
14 of dangerous wild animals, failure to prevent the escape of dangerous animals, unreasonable levels
15 of noise, and unreasonable levels of commercial traffic in a residential neighborhood, harm the
16 entire neighborhood surrounding the Property as well as visitors to the Anacortes Community
17 Forest Lands, and are therefore also a public nuisance in fact.

18 68. Plaintiffs’ acts or omissions described herein are particularly injurious to Plaintiffs,
19 who live near or immediately adjacent to the Property and are therefore constantly subjected to the
20 threat of animal escapes and to unreasonable levels of noise and traffic.

21 69. Predators’ acts or omissions proximately caused economic and noneconomic
22 damages to Plaintiffs in an amount to be proven at trial, consisting of (i) diminution in the value
23 of Plaintiffs’ property, (ii) inability to freely use and enjoy their property, and (iii) mental anguish
24 and emotional distress.

25 70. Plaintiffs are also entitled to injunctive relief prohibiting Predators’ from operating
26 and housing potentially dangerous wild animals.

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**SECOND CAUSE OF ACTION
PRIVATE NUISANCE – RCW 7.48.150**

71. Plaintiffs reallege and incorporate the preceding paragraphs as if fully set forth herein.

72. Plaintiffs' acts or omissions described herein constitute a substantial and unreasonable interference with the Plaintiffs' private use and enjoyment of their property.

73. Predators' acts or omissions proximately caused economic and noneconomic damages to Plaintiffs in an amount to be proven at trial, consisting of (i) diminution in the value of Plaintiffs' property, (ii) inability to freely use and enjoy their property, and (iii) mental anguish and emotional distress.

74. Plaintiffs are also entitled to injunctive relief prohibiting Predators' from operating and housing potentially dangerous wild animals.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiffs seek the following relief:

A. A declaratory judgment that Predators' activities constitute a public and/or private nuisance;

B. A preliminary and permanent injunction prohibiting Defendants, including affiliates, agents, servants, employees, and attorneys, and any and all persons in active concert or participation with Predators, from engaging in any commercial activity on the Property that involves potentially dangerous wild animals; requiring Defendants to remove all potentially dangerous wild animals from the Property, including but not limited to wolves, wolf-hybrids, cougars, alligators, and rattlesnakes; and prohibiting Defendants from bringing any new potentially dangerous wild animals to the Property or breeding any potentially dangerous wild animals for use on the Property;

C. An award of damages to Plaintiffs in an amount to be determined at trial;

- 1 D. An award of attorneys' fees and costs to Plaintiffs to the extent permitted by law;
2 and
3 E. Such further and other relief as the Court deems just and proper.
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1 DATED July 7, 2022

s/ David A. Perez

David A. Perez, WSBA No. 43959
Alison R. Caditz, WSBA No. 51530
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EXHIBIT A

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES
NOTICE OF DEVELOPMENT APPLICATION WITH OPTIONAL SEPA DNS:

For: Predators of the Heart

File Number: PL22-0133

Notice is hereby given that on **March 23, 2022**, the applicant applied for a Special Use Permit application to permit an Animal Preserve Wildlife Education, Conservation, and Sanctuary Center on the subject property. The subject property lies within the Rural Reserve zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps. The subject application was deemed **complete on April 15, 2022**.

Applicant/ Contact: Ashley Carr, 6128 Parkside Drive, Anacortes, Washington 98221

Landowner: Predators of the Heart, 4709 Welch Lane, Anacortes, Washington 98221

Project Location: The subject property is addressed as 4709 Welch Lane, Anacortes, Washington, and is located in a portion of Section 35; Township 35 North; Range 01 East; Willamette Meridian, situated in unincorporated Skagit County, Washington (Parcel #: P128398).

Public Comment Period: Written comments must be received no later than **4:30 PM on May 6, 2022**. Email correspondence **will not be accepted**. However, comments may be submitted via the PDS website under the “recent legal notices” tab. (www.skagitcounty.net/pdscomments).

Required Project Permits/Approvals: The following permits/approvals may be required in addition to the above: Critical Area Review, Commercial Building Permit, etc.

SEPA Review: Based on the submitted application and available information, the County anticipates issuing an MDNS for this proposal and the optional DNS process as specified in WAC 197-11-355 is being utilized. Consequently, this may be the only opportunity to comment on the environmental impacts of this proposal. A copy of the subsequent SEPA threshold determination for the proposal may be obtained upon request.

Existing Environmental Documents: A Special Use Permit application, Environmental checklist, site plan, and other application materials are on file with Skagit County Planning and Development Services. This information is available to the public on request.

Public Hearing: A public hearing before the Skagit County Hearing Examiner will be scheduled in the future in the Board of County Commissioners Hearing Room located at 1800 Continental Place, Mount Vernon, Washington, for the purpose of determining whether the Hearing Examiner should approve, modify and approve or deny the application as soon as all reviews are completed. Public notification of the hearing will be made consistent with Skagit County Code 14.06.150(3).

How to become a party of record: You may become a party of record by submitting written comments, including a (USPS) mailing address, to the Skagit County Planning & Development Services Department at the address listed below. Any person desiring to express his or her views or to be notified of the action taken on this application should be **in writing** within the fifteen (15) day comment period.

Questions about this proposal, requests to receive future notices of hearings and/or the decision, once

made, and/or appeal procedures should be directed to the contact person listed below. The application and complete case file are available for review at the Skagit County Planning & Development Services Department located at 1800 Continental Place, Mount Vernon, WA 98273. A decision on this application will be made within 120 days from the date of completeness.

For Project Information: Kevin Cricchio, AICP, Senior Planner; Phone: (360) 416-1423; Email: kcricchio@co.skagit.wa.us; Skagit County Planning & Development Services, 1800 Continental Place, Mount Vernon, WA 98273

CC: Public Works Department, Fire Marshall, Stormwater Review, Critical Area Review, Water Resources Review, Public Health, NW Clean Air Agency, City of Anacortes, WDOE, WDFW, WDNR, DAHP, WSDOT, Samish Indian Nation, Swinomish Indian Tribal Community, Skagit River Systems Coop, & SEPA Register

Date Transmitted to Skagit Valley Herald & Emailed to Applicant: April 19, 2022

Date Published in Skagit Valley Herald: April 21, 2022

- **A narrative that includes numbered responses to the following:**
 - 1. Describe your proposal/business.**

Predators of the Heart (POTH), a 501(c)(3) organization, has been a part of the Anacortes and Skagit County community for over twenty-three (23) years. Our chief consideration is safety, and we aim to educate the community about animals as described below as well as to serve local agencies (i.e. local animal control, Department of Fish and Wildlife (DFW) and other federal agencies such as the military and United States Department of Agriculture) to be a rescue and a resource for their needs.

(a) Safety

Safety is our primary concern. Our processes, procedures and protocols have been vetted by local (Anacortes) Animal Control, United States Department of Agriculture and DFW. We are routinely inspected (both scheduled and at random). Our most recent inspection was on **September 23, 2021**. A common misconception is that our wolves are rescues—they are not. Our wolves are bred, and are taught/trained to be “ambassador” wolves—they help the general population to understand humans and are introduced to them at an early stage of their life. At one point, POTH was receiving so-called “big cats” as rescues, but will be phasing out big cats.

In any event, we have worked closely with DFW, the USDA and local agencies, including Skagit County animal control, to ensure an exceedingly safe environment. In 23 years, we have had only one escape, and that escape was mitigated—the wolves were captured in under 30 minutes. That instance was likely instigated by a leashless dog (a major problem on the trails), and, as a result, the wolf that was responsible for the escape has since been euthanized. Again: POTH takes the safety of the community very seriously and put the wolf down in an abundance of caution.

As outlined below, our wolves and other animals (including, but not limited to, predatory animals) are kept in six-sided enclosures overnight. This means that they cannot dig out or jump out of the enclosure. On the wolf-runs, we have layered fences: at least two “layers” with one of the fences being “hot” or electrified. The outer “runs” also have 6-8 foot “dig outs” which also disallows the wolves from jumping over any fencing. There are additional plans to increase the fencing by adding overhangs onto the existing fencing to further protect the wolves and neighboring properties.

(b) Education

For over 20 years, POTH has been educating all ages: from church functions to school assemblies to private tours, POTH has built a reputation in the community by educating individuals on the animals themselves, the local ecosystem(s), the essential nature of animals in the Pacific Northwest, wildlife preservation, and children. More recently, POTH has assisted the Make-a-Wish Foundation with children who are gravely ill experience wildlife in a safe and secure manner.

POTH has diligently served the community and has been a resource of information, which is why it also is a resource for local law enforcement, the nearby military base, the USDA and DFW, to name only a few. POTH works to explain to its guests and the broader community the importance of these animals and the role they play in the PNW ecosystem, and in particular the ecosystem of Skagit and surrounding counties. As a result, children and adults have a greater understanding and appreciation not only of the animals and the role that they play in the ecosystem, but of their impact (and ours) on the world around us. These lessons lead to greater efforts in wildlife preservation and conservation.

(c) Rescue

As noted above, POTH also serves as a critical resource for local animal control agencies (most recently, Pierce County, Thurston, King and Snohomish), the military, local law enforcement, DFW and USDA. Each of these agencies trusts POTH's ability to safely and securely house these animals, and care for them for the duration of their lives if necessary. While we do limit the number of animals that we take in, POTH strives to continue to build those relationships. We have partnered with the aforementioned agencies and have become a vital resource to the community as a result.

As an example: POTH was recently contacted by the military to assist with a wild animal on the base at Oak Harbor. Our team worked overnight with military agencies to detain the animal safely and securely and house it.

Within the last month, Pierce County animal control received over 10 birds due to a seizure operation. POTH was a resource available to the Pierce County animal control, assisting in containing these birds, but also housing, feeding and caring for the birds while the investigation continues. Without POTH, the seizure could not have taken place and the animals likely would have been euthanized.

Often, after these investigations are complete, the animals have nowhere to go. If not for POTH and its efforts, the animals would almost certainly be euthanized. POTH also advises and assists in the re-homing process, which alleviates the stress that would be added to local government regarding finding suitable homes for these animals. POTH takes great pride in serving local, state and federal agencies in this way and looks forward to continuing to do so.

POTH has also been reached out to by the general public. We were recently contacted by an elderly woman who was suffering with CPOD. She called stating she was no longer capable to provide the proper care for her 30-year-old blue and gold macaw and 2 cockatiels. POTH came to her home and was able to help her by taking the birds into our care, providing them with much needed medical care. We now can take the time needed to ensure the birds are in good health taking the proper steps to find them the suitable forever home.

Animal controls will often refer POTH to citizens who may own animals illegally. Authorities will often give them 2 weeks to rehome the animal to a qualified sanctuary before pressing charges. We recently were surrendered an american alligator and a 14-year-old bobcat from the recommendation of Pierce County Animal Control. The animals would have been euthanized if POTH could not have provided them with the properly permitted forever home.

As a point of emphasis: none of the wolves housed by POTH are rescues. They are all bred for the purpose of wildlife education, and, from a very early age, are exposed to humans to be "ambassador" wolves.

We provide them to sanctuaries and re-introduction programs, a critical part of the PNW conservation and naturalization efforts, preserving and building the PNW ecosystem—their reintroduction builds the PNW ecosystem by allowing other species to thrive. We are all connected, and this sanctuary reminds our guests of that.

- Predators of the Heart (POTH) has been a 501(c)3 non-profit organization since 1998. We have traveled to schools and libraries within our community and outside of Skagit County, educating young and old alike for the last 23 years. POTH has been dedicated to helping all species of exotic animals who, for various reasons, are without a place to live the rest of their lives. We are USDA certified, inspected, and insured and have met

all USDA caging standards and guidelines. We not only have provided proper housing to these exotic animals, but we pride ourselves on wildlife education. Many of the animals saved by POTH are used as ambassadors to further instruction regarding the importance of their species and the need for conservation. Our goal is to reach the hearts of people and leave them with a new appreciation for wildlife and its importance. Our current private tour, "Howling with Ambassadors", has been Federally approved by the USDA. They have joined our tours and have set the guidelines we follow as USDA Class C exhibitors, to safely provide a life-changing educational program to outside people 18 or older. POTH has had the opportunity of sharing our educational experience with many Skagit County residence in the last several years. The Skagit County community who has visited our compound have become supporter of POTH and the work we do, seeing the value we bring to this community.

Being the fourth generation of the Anacortes community, POTH's president, Ashley Carr, personally strives to give back to this beautiful community. We now offer virtual tours to our local school districts, homeschooling programs, boys and girls clubs, and boy and girl scouts, to educate our young people on how each animal plays a vital role in the web of life. We also support our local companies such as a T-Shirt by Design, which does all our printing and embroidery for our merchandise, Lake Side Industries, for any rock and gravel needs, STS, for any tree removal or clean-up, are just a few of many local companies that we use to better our business. We also provide a brochure that has the local restaurants and things to do in our Anacortes. We can send up to 120 new people through our small town each week. Utilizing our hotels, local restaurants, other experiences, and sightseeing of our amazing parks. POTH brings great value to our small business and community.

2. **Describe what days and hours will your operation be open.**
 - POTH operates Monday- Saturday through private tours only. We offer two tours a day, 10 am-12 pm and 1 pm-3 pm. We limit the number of people who can come to our onsite tours to small groups of 10 people each tour. POTH is closed for tours on Sunday, but animals are maintained and fed according to their feeding schedule(s).
3. **How many employees will you have?**
 - 5-10 employees. POTH currently has five employees, including its offsite bookkeeper.
4. **What will your employees' working hours be?**
 - 7:30 am-4 pm Monday-Saturday ((depending on the day); POTH is closed for tours on Sunday, but animals are cared for on Sundays. (DISCUSS WE DO NOT FED SUNDAYS IT IS THEIR DAY OF REST TOO)
5. **Will employees work on site?**
 - Yes, with the exception of our bookkeeper, our employees will be working on site of 4709 Welch Lane, Anacortes, WA 98221.
6. **How many employees will work off-site?**
 - 1 employee who will work off-site is our bookkeeper.
7. **Describe the location and size of any signs you propose to advertise your operation.**
 - We currently are not actively advertising. When we do advertise, it will be online advertising through our website, Airbnb, and social media.
8. **How do you propose to screen your operation from public view? E.g., plants, shrubs, fences.**
 - We are currently a very private property. Our property is in a very remote location with minimal traffic. We have extensive fencing that is currently being extended; blackout covering will be added shortly. Additionally, our plans are to add "set-backs" from the fence an additional 6-8 feet with an additional perimeter fence. This would reduce the

likelihood of off-leash dogs or other animals being able to antagonize and/or cause anxiety for any of the POTH animals, including the wolves.

9. Describe your proposed parking area.

- POTH has a small parking space already that will fit 7-10 cars on site. There are no current plans to change the parking spaces.

10. Describe your schedule, including any phasing, for the development of your operation.

- POTH has plans to do extensive fencing, as noted above. POTH intends to create additional set-backs (also known as "perimeter fencing") and add blackout covering to existing fencing, moving wolf enclosures to a centralized area. Currently, the wolves are in six-sided fencing overnight, which means that they cannot escape by digging. Centralizing our wolf-enclosures will reduce their anxiety, create a more tranquil environment for them. POTH currently also has extensive security fencing, including so-called "hot" fences (i.e. electric fences). Other phased construction will include adding glass enclosures for other reptiles to benefit our guests and the public in the educational process.

11. Describe the expected traffic impact of your operation on public roads.

- Generally, we see about 5-10 cars a day, including employees. Private groups that have visited POTH generally come together, and we limit the number of people allowed on site at any one time.

12. Describe any internal road system your operation will have.

- In our compound, we have a turnaround and parking



13. Describe how your operation will be accessed.

- Security is a critical component of our operation. We have extensive fencing, which has been thoroughly vetted by local, state and federal authorities. This includes dig-outs as well as electric fencing that is always operational. Our gate system is a locked remote open, chain-linked fence. The only time our gate is open is when employees enter or our guests are let in by staff. The general public have no way to enter the property with a vehicle unless the gate is opened by our staff. The gate is only opened at the time of tour to allow entry to allow guests access to the property. To enter the compound you turn off Havekost Rd, onto Welch Lane Rd. At the end of the Welch Lane there is access to our gravel easement road. The easement road is approximately 400 feet long and leads you to our locked gate. There is a ditch for drainage on either side of the easement road. There are no other access roads that lead into our compound.

14. Describe any heat from machinery or equipment that your operation will generate.

- N/A

15. Describe any noise your operation will generate.

- POTH has been on this property since 2001 and has never had a complaint about the noise, which would be the occasional wolf howling. Even with groups on site, the property is exceedingly quiet.

16. Describe any odors your operation will generate.

- None.

17. Describe any steam, smoke, or dust your operation will generate.

- None.

18. Describe any vibrations your operation will generate.

- None.

19. Describe any heavy equipment or machinery your operation will use.

- None.

20. Describe any chemicals, waste oil, solvents, fuel, etc, your operation will store.

- None.

21. Describe your plan for disposal of any chemicals.

- No chemicals are used, as this is an animal sanctuary. As a result, no chemicals are produced, used or generated and, further, no disposal is necessary. Animal remains are disposed of via humane methods; animal carcasses are generally cremated at Evergreen Pet Cremation in Oak Harbor, WA

22. Describe your plans to prevent trespassing by employees, customers, or visitors to adjoining property.

- There is extensive fencing that covers the areas of operations. Not only has POTH posted conspicuous signage at all areas of access on the property, but the property is also fully fenced, including multiple layers of fencing, hot-fencing (interior) and dig-outs to prevent animal escapes. The fully fenced areas are to ensure the safety of animals and the public. At night, the wolves are secured in six-sided enclosures, meaning they cannot dig out of their enclosures. All guests on tours remain with an employee from the time of check-in to check-out to ensure no trespassing onto the adjoining properties. Property lines are clearly marked by fencing and or markers to ensure there is no confusion by employees or neighbors. There are only 2 adjoining properties, Welch easement, and Johnson's estate. The back half of the property is adjoining to parklands and no trespassing signs have been posted clearly for outside hikers. There are additional plans to add additional fencing between the trails and the property to prevent hikers or other individuals from trespassing onto the POTH property.

23. If your operation will use a building please describe the size, height and construction type. This building must be

- 12x12 Gift Shop which was permitted by Skagit county. The retail building is the only permanently installed improvement that is recognized by the Skagit County assessor. It has 220 square feet and is secured to a post and beam foundation. It was constructed in 2017 under a building permit and is attached to a semi-truck trailer and a steel cargo shipping container which are both parked side-by-side.
- shown on the site plan.



animal control(s), the United States military and the USDA. Under RCW 16.20.020, POTH displays animals at state fair(s) approved by the Washington Department of Agriculture pursuant to RCW 15.76 and/or RCW 36.37. This exemption affords POTH opportunities to house and maintain exotic animals. Skagit County's animal law is based on the state dangerous wild animal law, which also prohibits ownership of potentially dangerous wild animals. Animals possessed in violation of these laws must be taken to an appropriate facility; RCW 77.15.250 prohibits the release of deleterious exotic wildlife into the wild.

3. Demonstrate that the proposed use will not create undue noise, odor, heat, vibration, and air or water pollution on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.

- POTH disposes of all animal waste biweekly through trash service. All waste, meat products, and trash are bagged and disposed of properly in accordance with local, state and federal law and guidelines. However, POTH has had issue(s) with local neighbors disposing of chicken and pig waste near its property line frequently.
- POTH has been located on the property and doing business as a USDA certified wildlife sanctuary, 501(c)3 non-profit, since 2001. Since that time, there have been no noise, odor, heat, vibration, air or water pollution complaints. POTH has sought to partner with the community to ensure the safety of the community and well-being of its inhabitants, mitigating traffic on its own and ensuring that there are and will not be any undue noise, odor(s), heat, vibration, air or water pollution in accordance with SCC 14.16.840. As a wildlife sanctuary, POTH endeavors to keep the land as natural as possible for the animals and the community. .

4. Demonstrate that the proposed use will not generate intrusions on privacy of surrounding uses.

- POTH sends all guests very clear and specific guidelines/directions when they book a private tour on how to get to our property. We have installed 3 small signs to help give directions to our property and prevent guests from mistakenly going to surrounding properties. When guests enter our property gates are closed until the end of the tour. Guests remain on our property from start to finish. Message sent to guests; Good morning, please help us respect our neighbors by following directions to our property! As you come down Welch Lane you will see our Airbnb sign on the back of stop sign telling you to continue straight. As you continue straight you will see a nice, paved road to a beautiful gate on left, THAT IS NOT OURS! (PLEASE DO NOT RING THE BELL ON THIS GATE!!!) Continue straight onto a gravel road where you will see another Airbnb sign is posted. As you pull onto gravel road you will take your immediate left and follow that road all the way to the end. (Sign will have Arrow pointing you in the right direction) By following these directions you will help us help our neighbors by respecting their private properties!

5. Demonstrate that proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

- POTH currently has multi-layered fencing installed to keep the general public out of our facilities. This includes: 8-foot fencing with "dig-outs" as well as additional six-foot fencing to provide a double layer of fencing so that wolves cannot escape. All of our predatory animals, including wolves, are kept in six-sided enclosures overnight so that they cannot escape—this means that there are fences above and below the animals so they cannot dig out or jump out of the enclosure. Our main point of entry has an automatic locking gate with code entry only. We have a 32-camera security system installed to help keep watch on all animals and points of entry. All animals are under a double and triple locking system when staff is completed with their day. POTH would

like to get the property fenced in its entirety and relocate the wolves to a central area within the property. We take public safety very seriously and have met all USDA guidelines along with any request made by Skagit County Animal Control.

6. For special uses in the Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL zones, demonstrate that the impacts on long-term natural resource management and production will be minimized.

- POTH has always and will always strive to keep the land as natural as possible, which will allow for the most give the animals their most tranquil and ecologically similar environment. Keeping the land as native as possible and preserving it's natural state will thoroughly benefit the animals and, as stated, will allow our guests to be most closely immersed in what the natural habitat would be like for these animals. We intend to keep as many of the beautiful, native trees to act as natural buffers on our property, with plans to "top" any dead or dying trees that might cause potential danger to animal enclosures, perimeter fencing, neighboring properties and guests. Our trees are regularly inspected by an arborist to ensure maximum safety. For every tree that is removed or "topped", POTH plants a new tree to ensure the continual growth and renewal of the land's natural state. As soon as is feasible, POTH intends to migrate its energy consumption to solar power in order to reduce its carbon footprint as much as possible.

7. Demonstrate that the proposed use is not in conflict with the health and safety of the community.

- For 23 years POTH has been doing school assemblies, county/state fairs, providing a safe place for animals to go for animal control for several counties. POTH has been USDA certified, inspected, and insured for over 20 years. We have USDA-approved facilities and have met all requirements on a federal level and state level. POTH is constantly making improvements to the facilities to better the animals' lives and ensure the safety of our community. We have also met all requirements set out by Skagit County Animal Control. POTH is regularly inspected by federal authorities, most recently in September, as well as state and local authorities.

8. Demonstrate that the proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

- As explained above, POTH has been and will continue to be a vital resource for local law enforcement, military, animal control(s), DFW, and other government entities. These entities confiscate animals, such as cougars, alligators, and other exotic animals and, without organizations like POTH, would have to simply kill these animals. Having POTH as a resource allows these animals to remain alive, and further, providing an educational service to the community. Our facility only brings value to the surrounding areas and community. We bring in tourists from all over the United States and the world before COVID. We recommend our local restaurants, hotels and parks to up to 20 people a day, 6 days a week. We also provide a resource of education to our local schools, boys and girls clubs, girl scouts, and boy scouts.

9. Demonstrate the proposed use will maintain the character, landscape, and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts. Nothing has changed and we have tried to keep the rural settings for our business

- Again, POTH's goal is to keep the land as natural as possible, keeping the beautiful buffer of trees, plants and other vegetation that surround it. In a world that is driven by development, POTH's property is being used to preserve the natural habitat of the land, and will continue to do so. This is in stark contrast with a developer or other builder that might intend to simply tear down the trees, vegetation and shrubbery. We do plan to top any dead trees that may cause potential danger to enclosures, perimeter fencing, or

neighbor's properties, but, as noted above, re-plant any tree that is removed due to its death or topping. Our goal is to ensure the land stays beautiful and forested as intended. There is no other business in close proximity to our non-profit 501(c)3. We will be keeping the Rural setting for our business as much as possible and will continue to do so as long as our operations can continue.

Additional Questions requested

A. **Please describe/outline in detail what regulations the operation is required to comply with and how the operation is, or will be, run in accordance with those regulations.**

POTH has been in operation on this parcel since 2001. We are USDA certified and inspected regularly. We have met all Federal guidelines that are required to house exotic animals. Our facility was inspected in September 2021 and passed all requirements needed to operate. POTH has been approved by USDA to house and exhibit wolves. USDA officials have joined in on tours and approved our current program deeming it safe and have met all USDA guidelines of wildlife exhibiting. POTH is a class C exhibitor and holds the highest USDA license available. POTH also operates according to the exemptions of Washington State RCW 16.30.020 (c), which allows for an incorporated nonprofit to house animals at the written request of animal control (or an authority acting as animal control, such as a sheriff or local law enforcement agency). **(POTH houses several animals at written request and turned over by Animal control directly)** POTH also falls under RCW 16.30.020 (I) A person displaying animals at a fair approved by the Washington department of agriculture pursuant to chapter 15.76 or 36.37 RCW; **(POTH completes at least one State fair yearly to comply with current RCW Codes of exemption).**

B. **What safety protocols do you have in place and how do they comply with the USDA regulations.**

POTH meets all the USDA safety protocols and is required on a federal level to comply with the regulations set by the USDA. POTH has developed extensive safety protocols and procedures regarding who can handle the animals, feeding and maintenance schedules, behavioral procedures regarding predatory animals (i.e. wolves, cougars and venomous snakes), escape procedures, severe weather procedures regarding animal care and husbandry, veterinary care procedures and protocols and apparel and dress protocols. See attached Exhibit A, "Safety Protocols & Procedures". Note: the attachment is not an exhaustive list of our protocols and procedures but are available upon request for Skagit County review.

C. **Please provide a list of the types and number of animals currently on site and what types and amounts of animals may be proposed on site for the future.**

Current animals at POTH:

Mammals: 3 cougars, 2 bobcats, 24 wolfdogs, 3 sloths, 1 armadillo, 2 opossums, 1 coatimundi, 2 marmosets, 1 fox, 1 giant anteater, 1 north American porcupine, 1 stripe skunk, 1 hooded skunk, 3 sloths, 2 kinkajous, 4 raccoons

Birds: 1 Eurasian eagle owl, 1 vulture, 2 ducks, 1 lady Amherst pheasant, 2 golden pheasants, 3 blue and gold macaw, 2 military macaw, 1 Catalina macaw, 6 sulfur-crested cockatoos, 1 citron cockatoo, 1 lord Darby, 6 plum head parakeets, 1 blue fronted amazon, 1 double yellow amazon, 20 parakeets, 2 cockatiels, 1 emu

Reptiles: 5 alligators, blue tongue skink, Savannah monitor, 2 iguanas, 2 reticulated pythons, 4 ball pythons, 1 rattle snake, 1 carpet python, 1 rainbow boa, 1 albino python, 1 blood python, 1 caiman lizard, 1 beaded lizard, 2 Burmese pythons, 4 sulcata tortoises, 2 red footed tortoises

Prediction to be onsite in future: We cannot predict what will be onsite in future. We can say it will be in the category of smaller mammals, small/mid-size cats, birds and reptiles. We do not ever know the

requests that will be made by Animal Control, Fish and Wildlife and outside governmental agencies. We do not take in outside adult wolves or big cats.

D. Describe in detail how the animals are kept: Types and location of enclosures, fencing (length, height, location, etc.), amount of area required for each (i.e., square footage, acreage?) and what amount of area is currently provided for each.

ALL ENCLOSURES ARE UNDER LOCK AND KEY PADLOCK SYSTEM. Each animal caging requirement is different depending on species, but is in full compliance with USDA regulations as well as animal control and DFW guidelines -All small mammals have 6 sided enclosures. This means bottom of enclosures are lined with a wire mesh or chain-link and they are topped. All small mammal enclosures have a 6' with tilt in perimeter fence that with at least a 3' walkway in between enclosure and perimeter per USDA requirements.



-All wolf enclosures are at least 6'-8' high. Our post and stretch fencing is 6' and our chain-link panel are 8' high with electric wire running top and middle and bottom. Wolves in our bottom part of our compound have 6' fencing with a 6' perimeter fence with 1.5' tilt ins. Wolves in bigger 1-2-acre runs are 6' high with 1' tilt in's and a 3-strand hot fence system 8-9 volt. Wolves are put away into night runs when staff is unavailable to supervise in bigger runs. All night runs are 24'x24'x8' with cattle panel bottoms, chain-link tops with solid roof tops. All night runs placed within the acer runs act as permitter fence for night runs. Both permitter doors and cage doors are locked with padlocks. This is more than is required by the USDA.



-3 cougar enclosures and 1 bobcat enclosure are 24'x36' each. They all have chain-link roof. Per USDA guidelines all cat enclosures must have a covered walkway /perimeter fence. All cats have a 3' walkway all the way around enclosures that is topped. It also includes an additional 6' with tilt in perimeter fence for extra safety.



-Bird flights are chain-link and topped. No dig outs are required for these enclosures.



- South American Trailer- Sloths, armadillo, kinkajous and tortoises are kept in a 40' mortified insulated container. This ensures that temperatures remain over 80 degrees as each animal housed in this facility requires that temperament for survival.



- Reptile house. Reptile house is another 40' refer unit and contains wooden enclosures with glass fronts and consist of all sizes to accommodate species of snakes or lizards. Reptile house temperature is always set at 82 degrees. The main heat source is propane furnaces. Some reptiles require UVB lighting and cages are set up to accommodate the special lights needed.



- E. **Describe how the animals are cared for. When and how often are they fed and what the food source is. When and how often are they inspected by a veterinarian and does that take place on or off site. How often are the enclosures cleaned?**

POTH has a staff that cares for these animals daily. All animals' enclosures are cleaned daily. Mammals and birds are fed daily Monday-Saturday and fasted on Sunday. Reptiles are on a strict feeding schedule according to their species requirements. Food comes from our donors of Walmart, Chief Store, Del Fox Meats and local farmers. As many of our animals come to us as rescues and require specialized diets, we also purchase supplement foods from Mazuri Exotic Foods, Chewy, Rodent Pro, Costco, Amazon and other exotic animal food sources. All animals are inspected by veterinarian at least 1 time a year, unless medical attention is needed. Animals are both seen by a veterinarian on and offsite depending on medical reason.

- F. **Describe how the waste is handled. How and where is it disposed of? How often is it disposed of?**

POTH disposes of all animal waste biweekly through trash service waste management. All waste, meat products, and trash are bagged and disposed of properly and in accordance with local, state and federal law.

LETTERS OF RECOMMENDATION:

February 4, 2022

CITY OF ANACORTES

Matt Miller, Mayor - Personal
Planning, Community & Economic Development
City Council
Administrative Services
Public Works
Anacortes Parks & Recreation
City Attorney

Anacortes Chamber of Commerce

This letter is being written in connection with "Predators of the Heart" a non-profit sanctuary for wolves and other animals located near Anacortes, Washington in Skagit County Washington.

It is my understanding that Predators of the Heart is endeavoring to update and/or acquire permits for the facility and they have been met with some resistance.

My wife and I have lived in Anacortes for over 20 years. I presently live very close to Predators of the Heart facility. During my ENTIRE time living in Anacortes I have-not heard any adverse or negative statements concerning Predators of the Heart!

I did not know of the existence of Predators of the Heart until approximately 5 years ago when I received a telephone call from my granddaughter (Chloe) who lives in Ohio asking why I did not take her to see the wolves in Anacortes. I told her that I did not know about it and would certainly take her and family to Predators of the Heart on their next visit providing it was safe etc.

My investigation found the facility to be safe, educational, and an opportunity to expand one's knowledge through face to face interaction with the wolves and other animals. We, my family from Ohio visited the sanctuary on their very next trip from Ohio which was a very short time after the call from my granddaughter.

Have visited the Predators of the Heart site several times since learning of existence! Each time I have found the facility to be in exceptional condition, safe, and in constant upgrading to ensure future safety for both the animals in the complex and the adjacent public. On each visit the staff was a class act.

I know our government has regulations and procedures in place that require a non-profit animal sanctuary to meet and maintain high standards and is subject to frequent audits. Since

Predators of the Heart has been in existence for over 20 years - it has obviously met the requirements.

What a huge opportunity "Predators of the Heart" is for educational purposes for our local community!

It also adds to our water endeavors, such as kayaking, whale watching, fishing and hiking etc. that our wonderful island offers. In addition, it generates revenue to the city of Anacortes when people visit and use/enjoy our restaurants, lodging, and shopping at our unique stores.

It is ironic, that I found the existence of Predators of the Heart because a Ohio couple on their honeymoon visited the facility - told my granddaughter how great it was - who called me and bawled me out for not taking her there - WOW what a powerful advertiser word of mouth is!!! "Predators of the Heart" is a WIN WIN for the City of Anacortes, Skagit County, and our entire local area!

It is very safe, in my opinion, and must have met all government regulations for the 20 plus years it has been in existence.

I ask for support from our city, county and whoever else to approve what is necessary to keep this wonderful educational, revenue generating and unique facility operating for the benefit of people in the future.

Thank you in advance for considering my first hand knowledge of "Predators of the Heart".

Sincerely,

Pete Nelson, Former General Director of Risk Management Department of a (self-insured) Large Corporation and Adjunct Instructor, Business Law and other business subjects at Skagit Valley College for 10 plus years

cc: Predators of the Heart

PREDATORS OF THE HEART ANACORTES

To: Ms. Ashley Carr, Administrative Manager

This letter is in regards to, "Predators of the Heart," a non-profit organization for animal conservation located in Skagit County, near Anacortes WA. This organization is also the host of "Wolf Encounters," an experience that provides visitors with an opportunity to spend time with the animals in an up-close and safe environment. As someone who has attended the Wolf Encounter experience and has interacted with the other animals at the site, I would like to share my experience with you.

My father has lived in Anacortes for over 20 years now and my family has made many trips from Ohio to visit and enjoy the beauty of the city and surrounding waters. We have whale watched, kayaked, hiked and hit the downtown shops and restaurants. About 5 years ago, my daughter who works at Goodyear Tire and Rubber Headquarters in Ohio, sent me a text demanding to know why we had never gone to Predators of the Heart! Apparently, a recently married co-worker and his wife went there while traveling the Pacific Northwest on their honeymoon. The reason was we didn't know it was there! Predators of the Heart sits in the woods near my dad's house, but he didn't know of it either. Of course, he scheduled a visit right away and loved every moment of it and we set up a tour on our next trip to see him. It was an experience we all talk about to this day! How else would you ever get an opportunity to touch, pet and get an up close interaction with a wolf (Max and his mom for us), sloths, albino skunks, a cougar and others? The tour was personal, educational and at NO time did any of us feel anything but safe!

We were in absolute awe of the animals and the work done there to allow others a small moment of that experience. It was truly amazing. I know my dad has returned and taken others since then to experience it with the same appreciation.

Apparently, the organization is facing scrutiny and the concerns of a few that its present location is unsafe. I would like to refute that by again saying it felt very safe for my family; I took my children there! On our visit we did the tour with a young couple from Seattle. This is where they go every year for a wedding anniversary gift, because of the love and respect they shared for the work. Since that time, I have made several charitable contributions to Predators of the Heart to offer something that supports the important work that they do. I believe it is important to appreciate wildlife as something more than a photo or a meal. The interaction with the animals should be personal to build respect and educational to foster true understanding of wildlife. This has been the mission of Predators.

I truly feel this place offers a rare opportunity for the Anacortes area. It is an attraction, the same as kayaking and whale watching, and brings people into a small town that otherwise might not be visited. People visit, they eat there and probably stay which is revenue for the local businesses and, most importantly, they leave and share their unique experience with others. It is truly a one of a kind adventure.

I would ask for the support of local and county decision makers in keeping this resource available to the general public. It is a jewel to the owners, and they take great care in the stewardship of it for all the right reasons.

Thank you in advance for your consideration of my thoughts and ask.

SINCERELY,

DANA NELSON, RN MN APRN CNS 3

Dear Mr. Mayor,

We write to you in support of Predators of the Heart (PH) which we understand is seeking a required permit from Skagit County. We are directing comments to your Office because we hear that the City is expressing opposition to PH's permit application on the grounds that there is lack of interest and support within the community.

We live in the County just outside Anacortes City Limits. We shop, of course in Anacortes, patronise local restaurants, many other businesses and amenities there. We are supporters of PH. Our immediate families live in Seattle and Atlanta, and it is their practice to rent facilities within Anacortes when they visit us. On several occasions, we have visited PH, and with our families too. It has always been a rewarding, informative, and uplifting experience. We ourselves are avid world travelers (and erstwhile trekkers); wild places and wild animals being our primary interests. PH fits well with our love of nature.

We hope our comments are useful, and, of course, would be happy to answer any questions you may have.

Respectfully, Hugh and Wendy Kendrick

11342 Mainsail Lane
Anacortes, WA 98221
360-293-0932

Colin & Deanna Emsley
2200 20th Place, Anacortes, WA 98221
360-333-2387
colinsmarine@gmail.com
emsley.deanna@gmail.com

Dear Recipient,

It is our sincere pleasure to enthusiastically recommend that Predators of the Heart be given permission to continue operating within Skagit County, and specifically within the vicinity of Anacortes.

We have been residents of Anacortes for nearly twenty years and have operated a tourist-oriented marine business during that entire time. We have witnessed time and time again the incredible impact that Predators of the Heart ("POTH") has on visitors to this area. Every group that we refer to POTH comes away absolutely spellbound by the experience. We have had clients make repeated trips back to Anacortes specifically so that they could incorporate a visit to POTH.

As residents who live less than 3-miles away from POTH, it is no surprise to us at all that everybody who visits the sanctuary is forever changed by the experience. The unique combination of animals at POTH, combined with the unparalleled ability to get such an intimate look into their lives, truly sets POTH apart.

Beyond the majesty of the animals themselves is the incomparable passion that the entire POTH team has for their critical dual mission of conservation and education. It is this dual mission more than anything else that truly sets POTH apart, and which in turn helps set Anacortes apart.

We beam with pride each time we refer our clients to POTH, and we relish our own visits to the sanctuary as often as possible.

Anacortes is always quick to tout its commitment to the natural playground within which it sits. A continued commitment to POTH is critical example of living up to that heritage and pledge.

Regards,

Colin & Deanna Emsley

SAFETY PROTOCOLS

(ANIMAL RECAPTURE PROTOCOLS)

INTRODUCTION

PURPOSE

Purpose is to properly house and exhibit exotic animals at POTH wildlife sanctuary/conservation located at 4709 Welch Lane, Anacortes, WA 98221. All POTH enclosures have met USDA guidelines and are designed for safe containment through housing, shifting, holding and transporting. However, no matter how well enclosures are designed, and safety protocols are followed, escape is a possibility. Therefore, POTH has created a "Safety Protocol" including an animal escape and recapture protocol. This is to ensure quick and safe recapture in the event of an animal escape. A safety guideline has been established to protect visitors, employees and neighbors from possible harm. Ensuring routine facility practices are reviewed to help prevent similar situations from occurring.

Our goal is to create this "Safety Protocol" to help prevent escapes and ensure proper training is given to staff on how to respond quickly and efficiently in case of an emergency. We accomplish this by providing clear guidelines, roles, responsibilities, procedures and tools needed in any situation. Our objective of the "Safety Protocols" is to provide the proper training, tools and drills ensuring best practices are accomplished. POTH will be performing at least 2 training drills a calendar year. This practice will ensure that staff can safely implement all aspects of a recapture plan should an escape occur.

ASSOCIATED EQUIPMENT

Blowpipe 180DM w/ Detachable Mouthpiece, CO2 Deluxe Pistol, Jab stick, Bear Spray, Blow Horn, Ruger EC9s 9MM (Concealed carrier license Ashley Carr, Danny Overman)

KEY DUTIES FOR OPERATION TIERS

TIER I (EXPERT HANDLER/MANAGEMENT)

Expert handlers have a minimum of 5 years of animal husbandry, handling, training and on the job experience. Expert handlers have been through big cat training and are USDA certified of POTH to handle big cats. POTH board of directors will determine if a staff member is qualified to be a tier I.

TIER II (INTERMEDIATE HANDLER)

Intermediate handlers at POTH must have 2 years of animal handling training or on the job experience. Intermediate handlers may handle all species of animals except for big cats (any exotic cat over 65lbs)

TIER III (BASIC HANDLER)

Basic handlers must have 6 months (40 hour work weeks) of on the job training with a tier II or tier I handler. The Basic Handler will perform tasks of feeding the animals, cleaning their living and sleeping areas, and other aspects of basic care. Animals for a tier III will help with wolf encounters under tier I or II supervision and start training in basic wolf behavior and handling.

TIER IV (HANDLER IN TRAINING)

Staff member in training before handling any animals. Must have 25 days of training before performing basic tasks without supervision. No animal handling will be performed without Tier I supervision and training.

TIER REQUIREMENTS FOR HANDLING ANIMAL

1. BIG CAT

Tier I handlers ONLY may enter enclosures with big cats. Tier II may perform daily care for big cats including, feeding, watering and cleaning. All big cats must be in lock out for Tier II to enter the enclosure. Tier II may shut lockouts for Tier III and IV to perform daily tasks. Tier II must lock lockout so no tiers III or IV can enter an enclosure with a big cat.

2. SMALL CATS

Tier I and Tier II handlers ONLY.

3. WOLF DOG

Wolf dogs ambassadors may be worked with by Tiers I,II,III. Tier IV must be supervised by a Tier I or Tier II to enter the cage of wolf dog ambassador.

Wolf dogs in conservation status (not public working wolves) may only be worked with by Tier I and Tier II.

4. SMALL MAMMAL

Small mammals may be handled by Tiers I, II, and III. Tier IV may not handle animals and should only perform daily basic tasks to care for these animals such as clean enclosures keeping safe distance, pull food and water dishes, water and feed, and complete basic maintenance needed in enclosures.

5. BIRDS OF PREY AND BIRDS

Tiers I, II, and III may handle birds. Tier IV may not handle animals and should only perform daily basic tasks to care for these animals such as clean enclosures keeping safe distance, pull food and water dishes, feed and water, and complete basic maintenance needed in enclosures.

6. REPTILE (NON-VENOMOUS)

Tiers I, II, and III may handle reptiles. Tier IV may not handle animals and should only perform daily basic tasks to care for these animals such as clean enclosures keeping safe distance, pull food and water dishes, feed and water, and complete basic maintenance needed in enclosures.

7. REPTILE (VENOMOUS)

Tier I and Tier II ONLY may handle or care for venomous reptiles.

ANIMAL ESCAPE/RECAPTURE PROTOCOL

REPORTING ESCAPE OF DANGEROUS ANIMAL

KEEP THE ANIMAL UNDER OBSERVATION FROM A SAFE DISTANCE UNTIL HELP ARRIVES. DO NOT ATTEMPT TO RECAPTURE, HERD, OR APPROACH AN ESCAPED ANIMAL ALONE. Each and every animal escape, regardless of relative danger posed by the animal, is to be reported. Dangerous animal escapes must be reported immediately to a Tier I employee by hand-held radio or by phone if unreachable by radio. The employee reporting the escape should remain calm, speak deliberately and clearly and provide the following information to the best of their knowledge:

1. Animal species that escaped.
2. If animal is still in perimeter fencing
3. The number of escaped animals observed
4. Exact location of animal(s)
5. Direction of animal(s) movement
6. Condition and behavior of animal (injured, panicked, running, etc)

Employees must have a handheld radio while working. Radios are available in the POTH gift shop. Radio is set to the correct channel. Incident report must be completed after capture

REPORTING ESCAPE OF NON-DANGEROUS ANIMAL

Animals not listed in the dangerous animal section of this document are not considered an immediate potential danger to employee's, visitors, or neighbors. Some animals are highly mobile (e.g. small primates) and can possibly be difficult to recapture. Other animals that are less mobile will allow for an easier capture. Responses to escapes by these species may or may not require the full response team like required for dangerous animals. All escapes must still be reported. If the escaped animal requires a significant level of staff response to support quick recapture it should be reported via radio to POTH staff immediately. For cases involving highly benign species with poor mobility (e.g. turtles or small ducks) the first report can be made directly to Tier I or Tier 2 staff members to help and ensure safe capture of animals. Incident reports must be filled out after safe capture of animals.

ESCAPE OFF POTH COMPOUND

In cases where an escaped animal leaves POTH grounds (is beyond the limits of the perimeter fence) the president or other persons in charge will instruct notify the following agencies by calling 911 dispatch:

1. Skagit County Animal Control
2. Anacortes Animal Control
3. Anacortes Police Department
4. Anacortes Fire Department
5. Mt. Erie Volunteer Fire Department

POTH will send a Tier 3 employee to the Emergency staging area (Front Main Gate) to meet the responding agencies and provide POTH radio to allow communication and coordination between outside agencies and the recapture team.

KEY RESPONSE AUTHORITIES

Tier I - Ashley Carr: 360-770-7479

Tier II Employee onsite

Skagit County Animal Control: Emilly Diaz: 360-428-3211

City of Anacortes ACFL: 360-293-1918

Asa Deane at Friends of the Forest ACFL: 360-399-6184

Diana Forbes DVM, USDA, APHIS: 206-478-4881

Caleb Stewart Legal Console: 425-455-3900

WEAPONS MANAGEMENT

Blowpipe 180DM w/ Detachable Mouthpiece, CO2 Deluxe Pistol, Jabstick, **Ruger EC9s 9MM**
(Ashley Carr / Daniel Overman ONLY)

TIERS DUTIES AND RESPONSIBILITIES IN ESCAPE

TIER I RESPONSE DUTIES

- Contact 911/USDA if animal escapes POTH property
- Evaluate situation
- Give clear guidelines and plan for recapture plan to tier II
- Carry appropriate weapon if necessary

TIER II RESPONSE DUTIES

- Perform responsibilities of Tier 1 if not on premise
- Work with Tier I to recapture animal
- Carry appropriate weapon for capture if necessary
- Update Tier III with current status of capture

TIER III RESPONSE DUTIES

- To set up a base at the main gate to allow proper authorities if needed if an animal escapes off POTH property.
- To provide updates and communication to outside agencies if animals escape off POTH property. (POTH radio to be provided to agencies)
- To provide any tools necessary to staff for safe recapture
- Contact local agencies not associated with 911 or USDA if requested by Tier I

TIER IV RESPONSE DUTIES

- Check ALL perimeter fences are properly closed including front gate
- Stand at camera monitor and monitor animal movement/capture
- If animals escape during a tour, escort the tour group safely to the gift shop and have them remain calm.
- To complete any task given by Tier I or Tier II

AUTHORITY CONTACTS

TIER I CONTACTS

Ashley Carr / President 360-770-7479

Daniel Overman / Vice President 360-982-8313

SKAGIT COUNTY CONTACTS

Skagit County Animal Control- Emily Diaz: 360-428-3211

USDA

Diana Forbes DVM, USDA, APHIS: 206-478-4881

CITY OF ANACORTES/ACFL CONTACTS

City of Anacortes ACFL 360-293-1918

Asa Deane at Friends of the Forest ACFL 360-399-6184

LEGAL TEAM

Caleb Stewart at Oseran and Hahn 425-455-3900

NEIGHBOR CALL LIST

TO BE ANNOUNCED

LIST OF DANGEROUS ANIMALS

- Cougars
- Wolves

LIST OF NON-DANGEROUS ANIMALS

- Anteater
- Porcupine
- Kinkajou
- Sloth
- Opossum
- Raccoon
- Fox
- Birds
- Skunk
- Armadillo
- Coatimundi
- Bobcats
- Constricting Reptiles
- Lizards
- Tortoises
- Alligator
- Marmosets

PREVENTION SAFETY PROTOCOLS

STAFF PREVENTIONS MEASURES

It is staff's responsibility to assure the safety of the public, neighbors and the animals by taking proper safety measures. All doors must be closed and locked upon entry and exit. Enclosures doors and locks must be checked to ensure they are functioning properly at all times. All staff must be observant to possible hazards to enclosures such as, overhanging limbs, dead trees, possible perimeter hazards etc. All hazards must be reported to management immediately. Employees must also keep a close eye on primary enclosures to assure they are in good repair. All perimeter fences must be checked daily. All electric fencing needs to be at 8.2-9.8 volt and popping, if not the employee must find ground out immediately. Failure to follow these safety protocols, leading to a loss of animal, will lead to immediate disciplinary actions against employees.



Special Use Permit Application

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Permit #:

PL22-0133

Received
3.19.22

Received by:

Use this form for both administrative and hearing examiner special use permit applications. Before you apply for a special use permit, it is generally required that you participate in a pre-application meeting. See the Pre-Dev/Pre-App Meeting Request form for details.

Project Information

Site Address **4709 Welch Lane**

City **Anacortes**

Zip **98221**

Parcel No(s) **P128398**

Zoning **Rural Reserve**

UGA

☐ No

☐ Yes, which:

Project Description **Animal Preserve wildlife education, conservation, sanctuary center**

Request

What type of special use permit are you requesting? Check as many as apply.

- | | |
|--|--|
| <input type="checkbox"/> Bed and breakfast | <input type="checkbox"/> Personal wireless facility |
| <input type="checkbox"/> Home-based business 2 | <input type="checkbox"/> Rural Business Expansion Beyond 1,500 sq ft |
| <input type="checkbox"/> Home-based business 3 | <input type="checkbox"/> Rural Business Change of Use |
| <input type="checkbox"/> Kennel | <input type="checkbox"/> Temporary events |
| <input type="checkbox"/> Marijuana production or processing facility | <input type="checkbox"/> Temporary manufactured home—accessory to farm dwelling unit |
| <input type="checkbox"/> Marijuana retail facility | <input type="checkbox"/> Temporary manufactured home—elderly or disabled family member |
| <input type="checkbox"/> Mineral extraction and processing | <input checked="" type="checkbox"/> Other (specify): <u>Animal Preserve</u> |
| <input type="checkbox"/> Outdoor outfitters enterprises | |

Required Attachments

Include all of the following with your application:

- ☐ Contact Information & Signature Form
- ☐ Site plan consistent with site plan requirements checklist
- ☐ Lot certification¹ recorded under Auditor's File Number _____ (required unless the proposed development itself does not require lot certification)
- ☐ Critical areas approval letter
- ☐ Water review approval letter
- ☐ Pre-application meeting letter or pre-application meeting waiver
- ☐ Landscape plan (if required by pre-app meeting letter)
- ☐ Parking plan (if required by pre-app meeting letter)
- ☐ Any other documents requested at your pre-application meeting

¹ SCC 14.06.045(2).

① Requirements for ALL Special Use Permits

All types of special use permits require the following. Attach using a **separate sheet of paper**.

- ☐ A narrative that includes numbered responses to the following:
 1. Describe your proposal/business.
 2. Describe what days and hours will your operation be open.
 3. How many employees will you have?
 4. What will your employees' working hours be?
 5. Will employees work on site?
 6. How many employees will work off-site?
 7. Describe the location and size of any signs you propose to advertise your operation.
 8. How do you propose to screen your operation from public view? E.g., plants, shrubs, fences.
 9. Describe your proposed parking area.
 10. Describe your schedule, including any phasing, for development of your operation.
 11. Describe the expected traffic impact of your operation on public roads.
 12. Describe any internal road system your operation will have.
 13. Describe how your operation will be accessed.
 14. Describe any heat from machinery or equipment that your operation will generate.
 15. Describe any noise your operation will generate.
 16. Describe any odors your operation will generate.
 17. Describe any steam, smoke, or dust your operation will generate.
 18. Describe any vibrations your operation will generate.
 19. Describe any heavy equipment or machinery your operation will use.
 20. Describe any chemicals, waste oil, solvents, fuel, etc, your operation will store.
 21. Describe your plan for disposal of any chemicals.
 22. Describe your plans to prevent trespassing by employees, customers, or visitors to adjoining property.
 23. If your operation will use a building please describe the size, height and construction type. This building must be shown on the site plan.
 24. Describe the sewage disposal plan for employees and the public.
 25. Describe the water supply for employees and the public.
 26. Address any fire flow issues.
- ☐ A narrative that includes numbered responses to the following General Special Use Permit Evaluation Criteria.² The burden of proof is on the applicant to provide evidence that the use complies with the criteria.
 27. Demonstrate that the proposed use is compatible with the neighboring properties.
 28. Demonstrate that the proposed use complies with Skagit County Code. Please cite code section.
 29. Demonstrate that the proposed use will not create undue noise, odor, heat, vibration, and air or water pollution on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.
 30. Demonstrate that the proposed use will not generate intrusions on privacy of surrounding uses.
 31. Demonstrate that proposed use will not cause potential adverse effects on the general public health, safety, and welfare.
 32. For special uses in the Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL zones, demonstrate that the impacts on long-term natural resource management and production will be minimized.
 33. Demonstrate that the proposed use is not in conflict with the health and safety of the community.
 34. Demonstrate that the proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.
 35. Demonstrate the proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

² SCC 14.16.900(1)(b)(v).

② Additional Requirements for Specified Special Use Permits

Find the specific special use permit(s) you are applying for below, and attach the additional information listed.

A. Bed and Breakfast

Attach all of the following:

- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:³
 - A1. The bed and breakfast must be owner-occupied and managed.
 - A2. Parking is on-site and a minimum of 10 feet away from neighboring residences.
 - A3. All lighting is directed away from neighboring residences.
 - A4. The impacts will be no more obtrusive than a residence.
 - A5. Five bedrooms or less are available for guest use.

B. Home-Based Business 2⁴

The intent of this Special Use is to allow home based businesses to operate with the limitations listed below. When the business grows beyond the criteria established and/or the conditions included in any approval, the business should relocate to a zone that would permit the activity. Attach all of the following:

- ☐ SEPA Checklist (unless categorically exempt).
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - B1. Is carried out by a member or members of a family residing in the dwelling;
 - B2. Is clearly incidental and secondary to the use of the property for dwelling purposes (business activity may be conducted in buildings other than the dwelling; provided, that the size of such use does not exceed 50 percent of the living area of the dwelling unit);
 - B3. Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of one sign not to exceed four square feet, provided such sign shall not be illuminated;
 - B4. Does not require the installation of heavy equipment, large power tools or power sources not common to a residential dwelling;
 - B5. Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;
 - B6. Does not create a level of parking demand beyond that which is normal to a residential area;
 - B7. May have clients come to the site.

C. Home-Based Business 3⁵

The intent of this Special Use is to allow home based businesses to operate with the limitations listed below. When the business grows beyond the criteria established and/or the conditions included in any approval, the business should relocate to a zone that would permit the activity. Attach all of the following:

- ☐ SEPA Checklist (unless categorically exempt).
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - C1. Is carried out by a member or members of a family residing in the dwelling and up to three additional employees;
 - C2. Is clearly incidental and secondary to the use of the property for dwelling purposes;
 - C3. The business activity may be conducted in buildings other than the dwelling; provided, that the size of such building shall be consistent with the residential area and such building is properly permitted for the use;
 - C4. Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of one sign not to exceed four square feet, provided such sign shall not be illuminated;
 - C5. Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;
 - C6. Does not create a level of parking demand beyond that which is normal to a residential area;
 - C7. May have clients come to the site.

³ SCC 14.16.900(2)(c).

⁴ SCC 14.16.730(3).

⁵ SCC 14.16.730(4).

D. Kennels⁶

Identify which type of kennel you are applying for:

- ☐ **Day-Use Kennel:** any premises at which 1 or more dogs, cats, or both are kept during daytime hours for a commercial purpose including but not limited to grooming, training, and/or boarding. Note these limitations:
 - A day-use kennel shall not exceed 25 dogs or cats on site at any one time.
 - No commercial breeding or selling of dogs or cats shall occur at a day-use kennel.
 - No overnight boarding of animals shall occur at a day-use kennel.
- ☐ **Limited Kennel:** any premises at which 1 or more dogs, cats, or both are kept overnight for a commercial purpose including but not limited to breeding or selling. A single, incidental litter in a 12-month period is not a commercial purpose. Note these limitations:
 - A limited kennel shall not exceed 25 dogs or cats over 16 weeks of age on site at any one time.
 - At no time shall there be more than 50 dogs or cats of any age on site.
 - No dogs or cats shall be commercially boarded at a limited kennel.
 - A limited kennel may have animals kept during daytime and overnight hours and may also include additional related services including but not limited to selling, training, grooming, and daily care.
- ☐ **Overnight Boarding Kennel:** any premises at which 1 or more dogs, cats, or both are kept overnight for the commercial purpose of boarding. Note these limitations:
 - An overnight boarding kennel shall not exceed 150 dogs or cats on site at any one time.
 - No commercial breeding or selling of dogs or cats shall occur at an overnight boarding kennel. A single, incidental litter in a 12-month period is not commercial breeding or selling.
 - An overnight boarding kennel may have animals kept during daytime and overnight hours and may also include additional related services including but not limited to training, grooming, and daily care.

Attach all of the following:

- ☐ SEPA checklist.
- ☐ An evacuation plan for the dogs or cats in the event of an emergency.
- ☐ An exercise plan for the dogs or cats.
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following criteria:
 - D1. Areas used as part of a dog kennel operation shall be composed of at least one-half of 1 acre for every 5 dogs (i.e. 2.5 acres of kennel area would be required for 25 dogs).
 - D2. Any indoor or outdoor area to be occupied by kennel animals shall be located at least 50 feet from any property line. A solid-wood fence or continuous, non-deciduous vegetative barrier shall be required, each at least 6 feet in height, between any outdoor kennel use area and the subject property lines. Fences and continuous barriers will not be required in cases where kennel use areas are at least 500 feet from all subject property lines.
 - D3. Parking for all kennel customers and employees shall be fully contained on the subject property and shall not include the use of any road right-of-way.
 - D4. All lighting shall be directed away from neighboring residences or businesses.
 - D5. An approved waste disposal plan that complies with Chapter 12.16 SCC shall be required.
 - D6. Kennel animals must be contained on the subject property. Outdoor kennel areas shall be constructed with adequate materials and height so as to prevent animal escapement.
 - D7. Any outdoor kennel use areas shall be configured such that impacts to surrounding properties are minimized. All animals must be contained in enclosed buildings between the hours of 9:00 p.m. and 8:00 a.m. daily.

⁶ SCC 14.16.900(2)(i).

E. Marijuana Production or Processing⁷

Attach all of the following:

- ☐ SEPA checklist.
- ☐ A copy of your current license from the State Liquor and Cannabis Board.
- ☐ A narrative that includes numbered explanations for how your proposal will:
 - E1. Address impacts on surrounding properties, including but not limited to the appropriate distance of the facility from residences, schools, daycare facilities, public parks, other public facilities, and other marijuana facilities;
 - E2. Include appropriate controls on odor;
 - E3. Include appropriate screening or other requirements to avoid lighting impacts and the visual impacts of security fencing;
 - E4. Include requirements for appropriate disposal of the waste and byproducts of production and processing;
 - E5. Include protections against security cameras infringing on neighbors' privacy;
 - E6. Include any additional controls on hazardous processing methods with potential to injure neighboring properties;
 - E7. Mitigate other impacts.

F. Marijuana Retail Facility⁸

Attach all of the following:

- ☐ SEPA checklist.
- ☐ A copy of your current license from the State Liquor and Cannabis Board.
- ☐ A narrative that includes numbered explanations for how your proposal will:
 - F1. If the facility will use security cameras, ensure those cameras are aimed so as to view only the facility property, not public rights-of-way or neighboring properties.
 - F2. Avoid customer use of marijuana on site or in adjacent areas (e.g., security cameras, fences, or site design).
 - F3. Mitigate other impacts.

G. Mineral Extraction or Processing

Please see SCC 14.16.440(10) for the operating standards and requirements for all mining special uses. Attach all of the following:⁹

- ☐ SEPA checklist.
- ☐ A narrative that includes numbered responses to all of the following:
 - G1. The estimated quantities of all materials to be extracted.
 - G2. Identification of any possible Scientific Resource Sites that may be located on the proposed site. Scientific Resource Sites include unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance. These areas must be delineated on the vicinity map below and the proposal for preservation of the identified area(s) must be addressed.
 - G3. An on-site study to determine appropriate mitigation requirements for noise, vibration and dust levels. The study should specify what levels the Applicant deems satisfactory to mitigate off-site disturbances.
 - G4. An operations proposal detailing estimated frequency of blasting, estimated truck loads per day, what provisions for screening and fencing are proposed, and estimated hours of operation.
 - G5. Identification and description of those critical areas designated and regulated by SCC 14.24, together with any critical areas studies that may be required by SCC 14.24.
- ☐ All of the following maps on 11x17" paper:
 - ☐ A vicinity map with a north arrow indicating the area on which the extraction operation is proposed including a legal description, showing right-of-way width of access roads to the proposed site from the nearest community and any roads proposed on the site, and showing zoning of adjacent properties and land uses within 5 miles of the area proposed for mineral extraction and related activities;
 - ☐ A pre-mining map drawn to scale with an appropriate scale bar showing the permit area and buffers, elevations and contours, natural slopes and other drainage patterns, boundaries of municipalities, boundaries of property ownership,

⁷ SCC 14.16.855.

⁸ SCC 14.16.855.

⁹ Required by SCC 14.16.440(8).

names and addresses of adjacent property owners, locations of nearby mines, locations of all railroads, bridges, utility lines or other rights of way, locations and names of any streams and natural or artificial drain ways on or adjacent to the site, locations of parks and other significant features;

- ☐ A reclamation sequence map drawn to scale with an appropriate scale bar covering the same area as the pre-mining map showing the permit area border and buffers, excavation areas, location of all proposed access roads to be built, location of types of setbacks and beams, numbered segments and the direction of the sequence of mining, soil storage areas and sequence of stripping, storing and replacement of mined segments, overburden storage areas and sequence of stripping, storing and replacement of overburden on mined segments, waste rock piles and how they will be reclaimed and stabilized, operation plant and processing areas, measures to be taken to adjacent surface area to prevent slumping or landslides on adjacent lands, location and description of storm-water and erosion control systems including drainage facilities and settling ponds and estimated runoff served by individual facilities; and
- ☐ A final reclamation map drawn to scale with an appropriate scale bar covering the same area as the pre-mining map permit area and buffers, final elevations and contours, adjacent natural ground slopes, reclaimed drainage patterns, general topography, locations and names of any roads, utility lines, rights-of-way, streams, bridges, lakes, springs, wetlands, location and depth of topsoil to be replaced after seedbed preparation, permanent drainage and water control systems, area to be re-vegetated and proposed species, 2 cross-sections (at right angles) with horizontal and vertical scales the same that show the original and final topography and the water table.
- ☐ A report by a qualified geologist, hydrologist, or licensed engineer characterizing the area's ground water including, but not limited to, the following information:
 - A description of the geology and hydrogeology of the area including the delineation of aquifer, aquitards, or aquicludes (confining layers), hydrogeologic cross-sections, porosity, and horizontal and vertical permeability estimates;
 - Determination of the direction and velocity of ground water movement, water table contour and potentiometric surface maps (for confined aquifers) if applicable; and
 - A map containing the limits of the mine, buffer zones, location of all ground water wells within one-mile distance down gradient from the property boundaries, location of all perennial streams and springs, and definition or specification of locations of aquifer recharge and discharge areas.
- ☐ Attach a transportation analysis from Skagit County Public Works Department or Washington State Department of Transportation demonstrating that roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Comprehensive Plan or its Transportation Technical Appendix and applicable state and local regulations.

H. Outdoor Outfitters¹⁰

Attach all of the following:

- ☐ SEPA checklist.
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - H1. Temporary lodging may be allowed at temporary primitive campgrounds as regulated in each district, existing lodges/cabins, or approved bed and breakfasts.
 - H2. No more than five self-contained RVs shall be allowed with such enterprises at any one time.
 - H3. Temporary lodging in a single location shall not exceed 14 days for any one individual, group, or party.
 - H4. At least seven days must pass before registered guests may return for lodging.
- ☐ A site plan that includes location, size, access of proposed primitive campsites, existing lodges/cabins, and RV sites.

I. Personal Wireless Facilities

See SCC 14.16.720 for a description of all standard personal wireless facilities requirements. Attach all of the following:

- ☐ SEPA checklist.
- ☐ Photo simulations. Photo simulations of the existing site and proposed facility from all adjacent properties and public rights-of-way at a radius of 1 mile from the proposed personal wireless service facility, including additional height of 20 feet for possible co-location. Photo simulations shall be made from a range of elevations of surrounding residential areas. The photo simulation shall be coded to a scaled vicinity map.

¹⁰ SCC 14.16.900(2)(d).

- ☐ Site plan. A scaled site plan showing the location, point of reference, type, height and longitude and latitude of the proposed towers and antennas, existing buildings, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadway right of ways, parking areas if applicable, proposed means of access, setbacks from property lines and the approximate distance between the proposed tower and the property lines. The method of fencing and, if applicable, the method of camouflage, noise screening, and illumination shall be indicated. The application shall also include elevation drawings of the proposed tower and any other proposed structures. A vicinity map shall be included.
- ☐ Landscaping plan. A landscaping plan shall be prepared indicating the specific placement of the facility on the site. Trees and other significant site features, the type and location of plant materials used to screen the facility, and the proposed color(s) of the facility shall also be indicated.
- ☐ Service area map. A current map showing the location of the proposed tower, the locations and service areas of other personal wireless service facilities operated by the Applicant and those proposed by the Applicant that are close enough to impact service within the County.
- ☐ Co-location statements. A statement by the Applicant as to whether construction of the tower will accommodate co-location of additional antenna(s) for future users. In addition, a signed statement shall be included indicating that: (i) the Applicant and landowner agree they will diligently negotiate in good faith to facilitate co-location of additional personal wireless service facilities by other providers on the Applicant's structure or within the same site location; and (ii) the Applicant and/or landowner agree to remove the facility within 60 days after abandonment.
- ☐ Environmental documentation. Copies of any environmental documents if required by any Federal or State agency.
- ☐ Compliance letter. A letter signed by the Applicant stating the tower and antenna will comply with all applicable Federal, State and local laws and regulations, EIA standards and SCC 14.16.720.
- ☐ Co-location attempt. A narrative of the attempt to co-locate shall be included which lists names and dates of parties contacted for potential co-locations. A statement by the Applicant has made a diligent attempt to mount the facilities on an existing tower or structure that is within a 2,500-foot radius of the chosen site.
- ☐ Interference certification. Certification that the antenna usage will not interfere with other adjacent or neighboring transmission or reception functions of other communications facilities.
- ☐ Licenses. The personal wireless service provider must demonstrate that the FCC licenses it, if required to be licensed under FCC regulations for the provision of service within the County.
- ☐ Lease agreements. The Applicant, if not the personal wireless services provider, shall submit proof of lease agreements with an FCC-licensed personal wireless services provider, if such provider is required to be licensed by FCC regulations.
- ☐ E911 compliance. All providers shall attest to and demonstrate compliance with FCC and Washington State laws relating to Emergency 911 regulations.
- ☐ Financial security. The application for any tower shall be accompanied by a letter of credit, performance bond, or other security in an amount to be determined by the County, which may be drawn upon by the County as necessary to cover the costs of removal of the facility.
- ☐ Historic documentation. If applicable, a letter of permission from the designated County Official if the site is on a National Landmark or located in a Historic District.
- ☐ County recommendation. If the Applicant proposes to use County-owned property, a letter of recommendation from the Director of the Skagit County Parks and Recreation Department, Public Works Department or other applicable official.

J. Rural Business Expansion Beyond 1,500 Square Feet

A special use permit is available for a use in the Rural Business zone established prior to July 1, 1990, to expand more than 1,500 sq ft if certain other conditions are met.¹¹ Attach all of the following:

- ☐ SEPA checklist.
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - J1. Except for agricultural support services, the expansion may not exceed 50 percent of the gross floor area dedicated to the Rural Business use as of July 1, 1990, up to a maximum of 5,000 square feet.
 - J2. The expansion must occur on the same lot upon which the existing use is located.
 - J3. The expansion must be visually compatible with the surrounding neighborhood and rural area.
 - J4. Detrimental impacts to adjacent properties or to existing easement rights on the property may not be increased or intensified.
 - J5. The expansion may not result in a formerly small operation dominating the area.
 - J6. The expansion may not constitute new urban growth in the rural area, except that uses may utilize urban services that are historically available to the site.
 - J7. Public services and facilities are limited to those necessary to serve the isolated nonresidential use and are provided in a manner that does not permit low density sprawl.

K. Rural Business Change of Use

A special use permit is available for a use in the Rural Business zone to change to another use that is not substantially similar to the pre-existing use in terms of the type of commercial activity performed.¹² Attach all of the following:

- ☐ SEPA checklist.
- ☐ A narrative that includes numbered explanations for how your proposal will avoid a substantially increased impact on any one of the following criteria, or result in smaller impacts across a number of criteria that cumulatively result in a substantially increased overall impact. Information in parentheses defines "substantial impact" for that particular measure.
 - K1. Traffic generation (more than 10% increase in vehicle trips per day). How will this remain under 10%?
 - K2. Parking requirements (the need to expand existing parking facilities or the likelihood that parking would overflow to adjacent roads or properties). Will you be increasing your parking spaces?
 - K3. Hours of operation (10% increase in hours of operation, or any measurable increase in evening and weekend hours). What are the current hours? Will they increase?
 - K4. Visitors/customers visiting the site (10% increase in visitors to the site). How many customers visit the site now? How many after the expansion?
 - K5. Is there a need for expanded septic, sewer, water, power or other services?
 - K6. Will there be a need for increased infrastructure, such as road widening or access improvements?
 - K7. Noise, light, glare and related impacts from business operations on adjacent properties. What is the impact now? What will it be after?
 - K8. Will your proposal impact productive use of surrounding natural resource lands? How?
 - K9. Will your proposal have detrimental impacts to surrounding critical areas? How?
 - K10. Describe how your proposed change to the visual character of the structure or property would not significantly and negatively affect the visual character of the surrounding rural area.
 - K11. Your proposal must be consistent with any applicable community development plan, if one has been adopted. Is there an applicable plan, and how is your proposal consistent with it?

¹¹ SCC 14.16.150(4)(d).

¹² SCC 14.16.150(4)(e).

L. Temporary Events¹³

"Temporary events" is "commercial use of a property for any musical, cultural, or social event held either indoors or out of doors."¹⁴
Attach all of the following:

- ☐ SEPA Checklist.
- ☐ A narrative that includes numbered explanations of how your use will comply with the following requirements:
 - L1. Events may occur on no more than 24 calendar days per year.
 - L2. Parking for all events shall be fully contained on the subject property and shall not include the use of any road right-of-way.
 - L3. Does not create a detrimental level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic or other environmental impacts on the surrounding area.
 - L4. All lighting is directed away from neighboring residences or businesses.

M. Temporary Manufactured Home—Accessory to a Farm Dwelling Unit¹⁵

A temporary manufactured home accessory to a farm dwelling unit on property meeting the definition of a farm in RCW 84.34.020 may be used to accommodate agricultural workers and their families employed on the premises. Attach all of the following:

- ☐ A narrative that includes numbered answers to the following questions:
 - M1. Demonstrate that your property meets the definition of "farmland" in RCW 84.34.020 (Open Space Taxation).
 - M2. Demonstrate that your operation is in compliance with the temporary worker standards in Washington State Law, including RCW 19.27, RCW 70.114a, RCW 49.17, RCW 43.22 and RCW 43.70.
 - M3. Demonstrate that the nature of the employee's work requires said employee to be immediately available to the job site is required by the farm owner/operator.

Please note: a building permit is required for the manufactured home. A building permit requires review of septic and road access. If you propose to use an existing septic system, you should contact the Public Health Department to determine whether it has sufficient capacity before you apply for the special use permit. Any dwelling in Ag-NRL must comply with the Ag-NRL siting criteria.

Any temporary manufactured home special use permit will be conditioned that if the farm employee stops residing in the manufactured home, the home must be removed.¹⁶

N. Temporary Manufactured Home—Elderly or Disabled Family Member¹⁷

A temporary manufactured home may be placed on the property to accommodate the housing needs of disabled or elderly family members. Attach all of the following:

- ☐ Documentation that the need for nearby care is required by a doctor and/or physician.

Please note: a building permit is required for the manufactured home. A building permit requires review of septic and road access. If you propose to use an existing septic system, you should contact the Public Health Department to determine whether it has sufficient capacity before you apply for the special use permit. Any dwelling in Ag-NRL must comply with the Ag-NRL siting criteria.

Any temporary manufactured home special use permit will be conditioned that if the disabled or elderly family member stops residing in the manufactured home, the home must be removed.¹⁸

¹³ SCC 14.16.900(2)(h).

¹⁴ SCC 14.04.020.

¹⁵ SCC 14.16.900(2)(b).

¹⁶ SCC 14.04.020, definition of "temporary manufactured home."

¹⁷ SCC 14.16.900(2)(a).

¹⁸ SCC 14.04.020, definition of "temporary manufactured home."



Contact Information & Signature Form

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Permit #:

PL22-0133

Received
3.19.22

Received by:

Attach this form to an application that requires it. An application will not be accepted without this form.

By signing this form, the undersigned certifies that the statements, answers, and information both on this form and the remainder of this permit application are true and correct to the best of his or her knowledge and belief.

Applicant/Contact

Name Ashley Carr

Mailing Address 6128 Parkside Drive

City, State Anacortes, WA

Zip 98221

Phone 360-770-7479

Email admin@predatorsoftheheart.com

Property Owner

☐ Same as applicant

☐ Multiple owners (attach additional page)

Name Predators of the Heart

Mailing Address 4709 Welch Lane

City, State Anacortes, WA

Zip 98221

Phone 360-770-7479

Email admin@predatorsoftheheart.com

Contractor

☒ None

☐ Same as applicant

☐ Same as property owner

Name _____

Mailing Address _____

City, State _____

Zip _____

Phone _____

Email _____

License # _____

Expires _____

Financing¹

☒ None

☐ Lender below is providing construction financing

☐ Firm below has issued payment bond

Name _____

Mailing Address _____

City, State _____

Zip _____

Phone _____

Signature

☒ I am the owner of the subject property and I grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application; OR

☐ I have the consent of the owners of the subject property and have attached Agent Authorization Form(s) (SCC 14.06.090); OR

☐ This is a mechanical/plumbing permit or pre-development/pre-app meeting request; ownership certification is not required.

Signature(s):

Date:

1/28/22

Printed Name:

Ashley Carr

Title:

President

Company:

Predators of the Heart

¹ Required by RCW 19.27.095(2)(d) for building permit applications.

- **A narrative that includes numbered responses to the following:**
 - 1. Describe your proposal/business.**

Predators of the Heart (POTH), a 501(c)(3) organization, has been a part of the Anacortes and Skagit County community for over twenty-three (23) years. Our chief consideration is safety, and we aim to educate the community about animals as described below as well as to serve local agencies (i.e. local animal control, Department of Fish and Wildlife (DFW) and other federal agencies such as the military and United States Department of Agriculture) to be a rescue and a resource for their needs.

(a) Safety

Safety is our primary concern. Our processes, procedures and protocols have been vetted by local (Anacortes) Animal Control, United States Department of Agriculture and DFW. We are routinely inspected (both scheduled and at random). Our most recent inspection was on **September 23, 2021**. A common misconception is that our wolves are rescues—they are not. Our wolves are bred, and are taught/trained to be “ambassador” wolves—they help the general population to understand humans and are introduced to them at an early stage of their life. At one point, POTH was receiving so-called “big cats” as rescues, but will be phasing out big cats.

In any event, we have worked closely with DFW, the USDA and local agencies, including Skagit County animal control, to ensure an exceedingly safe environment. In 23 years, we have had only one escape, and that escape was mitigated—the wolves were captured in under 30 minutes. That instance was likely instigated by a leashless dog (a major problem on the trails), and, as a result, the wolf that was responsible for the escape has since been euthanized. Again: POTH takes the safety of the community very seriously and put the wolf down in an abundance of caution.

As outlined below, our wolves and other animals (including, but not limited to, predatory animals) are kept in six-sided enclosures overnight. This means that they cannot dig out or jump out of the enclosure. On the wolf-runs, we have layered fences: at least two “layers” with one of the fences being “hot” or electrified. The outer “runs” also have 6-8 foot “dig outs” which also disallows the wolves from jumping over any fencing. There are additional plans to increase the fencing by adding overhangs onto the existing fencing to further protect the wolves and neighboring properties.

(b) Education

For over 20 years, POTH has been educating all ages: from church functions to school assemblies to private tours, POTH has built a reputation in the community by educating individuals on the animals themselves, the local ecosystem(s), the essential nature of animals in the Pacific Northwest, wildlife preservation, and children. More recently, POTH has assisted the Make-a-Wish Foundation with children who are gravely ill experience wildlife in a safe and secure manner.

POTH has diligently served the community and has been a resource of information, which is why it also is a resource for local law enforcement, the nearby military base, the USDA and DFW, to name only a few. POTH works to explain to its guests and the broader community the importance of these animals and the role they play in the PNW ecosystem, and in particular the ecosystem of Skagit and surrounding counties. As a result, children and adults have a greater understanding and appreciation not only of the animals and the role that they play in the ecosystem, but of their impact (and ours) on the world around us. These lessons lead to greater efforts in wildlife preservation and conservation.

(c) Rescue

As noted above, POTH also serves as a critical resource for local animal control agencies (most recently, Pierce County, Thurston, King and Snohomish), the military, local law enforcement, DFW and USDA. Each of these agencies trusts POTH's ability to safely and securely house these animals, and care for them for the duration of their lives if necessary. While we do limit the number of animals that we take in, POTH strives to continue to build those relationships. We have partnered with the aforementioned agencies and have become a vital resource to the community as a result.

As an example: POTH was recently contacted by the military to assist with a wild animal on the base at Oak Harbor. Our team worked overnight with military agencies to detain the animal safely and securely and house it.

Within the last month, Pierce County animal control received over 10 birds due to a seizure operation. POTH was a resource available to the Pierce County animal control, assisting in containing these birds, but also housing, feeding and caring for the birds while the investigation continues. Without POTH, the seizure could not have taken place and the animals likely would have been euthanized.

Often, after these investigations are complete, the animals have nowhere to go. If not for POTH and its efforts, the animals would almost certainly be euthanized. POTH also advises and assists in the re-homing process, which alleviates the stress that would be added to local government regarding finding suitable homes for these animals. POTH takes great pride in serving local, state and federal agencies in this way and looks forward to continuing to do so.

POTH has also been reached out to by the general public. We were recently contacted by an elderly woman who was suffering with CPOD. She called stating she was no longer capable to provide the proper care for her 30-year-old blue and gold macaw and 2 cockatiels. POTH came to her home and was able to help her by taking the birds into our care, providing them with much needed medical care. We now can take the time needed to ensure the birds are in good health taking the proper steps to find them the suitable forever home.

Animal controls will often refer POTH to citizens who may own animals illegally. Authorities will often give them 2 weeks to rehome the animal to a qualified sanctuary before pressing charges. We recently were surrendered an american alligator and a 14-year-old bobcat from the recommendation of Pierce County Animal Control. The animals would have been euthanized if POTH could not have provided them with the properly permitted forever home.

As a point of emphasis: none of the wolves housed by POTH are rescues. They are all bred for the purpose of wildlife education, and, from a very early age, are exposed to humans to be "ambassador" wolves.

We provide them to sanctuaries and re-introduction programs, a critical part of the PNW conservation and naturalization efforts, preserving and building the PNW ecosystem—their reintroduction builds the PNW ecosystem by allowing other species to thrive. We are all connected, and this sanctuary reminds our guests of that.

- Predators of the Heart (POTH) has been a 501(c)3 non-profit organization since 1998. We have traveled to schools and libraries within our community and outside of Skagit County, educating young and old alike for the last 23 years. POTH has been dedicated to helping all species of exotic animals who, for various reasons, are without a place to live the rest of their lives. We are USDA certified, inspected, and insured and have met

all USDA caging standards and guidelines. We not only have provided proper housing to these exotic animals, but we pride ourselves on wildlife education. Many of the animals saved by POTH are used as ambassadors to further instruction regarding the importance of their species and the need for conservation. Our goal is to reach the hearts of people and leave them with a new appreciation for wildlife and its importance. Our current private tour, "Howling with Ambassadors", has been Federally approved by the USDA. They have joined our tours and have set the guidelines we follow as USDA Class C exhibitors, to safely provide a life-changing educational program to outside people 18 or older. POTH has had the opportunity of sharing our educational experience with many Skagit County residence in the last several years. The Skagit County community who has visited our compound have become supporter of POTH and the work we do, seeing the value we bring to this community.

Being the fourth generation of the Anacortes community, POTH's president, Ashley Carr, personally strives to give back to this beautiful community. We now offer virtual tours to our local school districts, homeschooling programs, boys and girls clubs, and boy and girl scouts, to educate our young people on how each animal plays a vital role in the web of life. We also support our local companies such as a T-Shirt by Design, which does all our printing and embroidery for our merchandise, Lake Side Industries, for any rock and gravel needs, STS, for any tree removal or clean-up, are just a few of many local companies that we use to better our business. We also provide a brochure that has the local restaurants and things to do in our Anacortes. We can send up to 120 new people through our small town each week. Utilizing our hotels, local restaurants, other experiences, and sightseeing of our amazing parks. POTH brings great value to our small business and community.

2. **Describe what days and hours will your operation be open.**
 - POTH operates Monday- Saturday through private tours only. We offer two tours a day, 10 am-12 pm and 1 pm-3 pm. We limit the number of people who can come to our onsite tours to small groups of 10 people each tour. POTH is closed for tours on Sunday, but animals are maintained and fed according to their feeding schedule(s).
3. **How many employees will you have?**
 - 5-10 employees. POTH currently has five employees, including its offsite bookkeeper.
4. **What will your employees' working hours be?**
 - 7:30 am-4 pm Monday-Saturday ((depending on the day); POTH is closed for tours on Sunday, but animals are cared for on Sundays. (DISCUSS WE DO NOT FED SUNDAYS IT IS THEIR DAY OF REST TOO)
5. **Will employees work on site?**
 - Yes, with the exception of our bookkeeper, our employees will be working on site of 4709 Welch Lane, Anacortes, WA 98221.
6. **How many employees will work off-site?**
 - 1 employee who will work off-site is our bookkeeper.
7. **Describe the location and size of any signs you propose to advertise your operation.**
 - We currently are not actively advertising. When we do advertise, it will be online advertising through our website, Airbnb, and social media.
8. **How do you propose to screen your operation from public view? E.g., plants, shrubs, fences.**
 - We are currently a very private property. Our property is in a very remote location with minimal traffic. We have extensive fencing that is currently being extended; blackout covering will be added shortly. Additionally, our plans are to add "set-backs" from the fence an additional 6-8 feet with an additional perimeter fence. This would reduce the

likelihood of off-leash dogs or other animals being able to antagonize and/or cause anxiety for any of the POTH animals, including the wolves.

9. Describe your proposed parking area.

- POTH has a small parking space already that will fit 7-10 cars on site. There are no current plans to change the parking spaces.

10. Describe your schedule, including any phasing, for the development of your operation.

- POTH has plans to do extensive fencing, as noted above. POTH intends to create additional set-backs (also known as "perimeter fencing") and add blackout covering to existing fencing, moving wolf enclosures to a centralized area. Currently, the wolves are in six-sided fencing overnight, which means that they cannot escape by digging. Centralizing our wolf-enclosures will reduce their anxiety, create a more tranquil environment for them. POTH currently also has extensive security fencing, including so-called "hot" fences (i.e. electric fences). Other phased construction will include adding glass enclosures for other reptiles to benefit our guests and the public in the educational process.

11. Describe the expected traffic impact of your operation on public roads.

- Generally, we see about 5-10 cars a day, including employees. Private groups that have visited POTH generally come together, and we limit the number of people allowed on site at any one time.

12. Describe any internal road system your operation will have.

- In our compound, we have a turnaround and parking



13. Describe how your operation will be accessed.

- Security is a critical component of our operation. We have extensive fencing, which has been thoroughly vetted by local, state and federal authorities. This includes dig-outs as well as electric fencing that is always operational. Our gate system is a locked remote open, chain-linked fence. The only time our gate is open is when employees enter or our guests are let in by staff. The general public have no way to enter the property with a vehicle unless the gate is opened by our staff. The gate is only opened at the time of tour to allow entry to allow guests access to the property. To enter the compound you turn off Havekost Rd, onto Welch Lane Rd. At the end of the Welch Lane there is access to our gravel easement road. The easement road is approximately 400 feet long and leads you to our locked gate. There is a ditch for drainage on either side of the easement road. There are no other access roads that lead into our compound.

14. Describe any heat from machinery or equipment that your operation will generate.

- N/A

15. Describe any noise your operation will generate.

- POTH has been on this property since 2001 and has never had a complaint about the noise, which would be the occasional wolf howling. Even with groups on site, the property is exceedingly quiet.

16. Describe any odors your operation will generate.
- None.
17. Describe any steam, smoke, or dust your operation will generate.
- None.
18. Describe any vibrations your operation will generate.
- None.
19. Describe any heavy equipment or machinery your operation will use.
- None.
20. Describe any chemicals, waste oil, solvents, fuel, etc, your operation will store.
- None.
21. Describe your plan for disposal of any chemicals.
- No chemicals are used, as this is an animal sanctuary. As a result, no chemicals are produced, used or generated and, further, no disposal is necessary. Animal remains are disposed of via humane methods; animal carcasses are generally cremated at Evergreen Pet Cremation in Oak Harbor, WA
22. Describe your plans to prevent trespassing by employees, customers, or visitors to adjoining property.
- There is extensive fencing that covers the areas of operations. Not only has POTH posted conspicuous signage at all areas of access on the property, but the property is also fully fenced, including multiple layers of fencing, hot-fencing (interior) and dig-outs to prevent animal escapes. The fully fenced areas are to ensure the safety of animals and the public. At night, the wolves are secured in six-sided enclosures, meaning they cannot dig out of their enclosures. All guests on tours remain with an employee from the time of check-in to check-out to ensure no trespassing onto the adjoining properties. Property lines are clearly marked by fencing and or markers to ensure there is no confusion by employees or neighbors. There are only 2 adjoining properties, Welch easement, and Johnson's estate. The back half of the property is adjoining to parklands and no trespassing signs have been posted clearly for outside hikers. There are additional plans to add additional fencing between the trails and the property to prevent hikers or other individuals from trespassing onto the POTH property.
23. If your operation will use a building please describe the size, height and construction type. This building must be
- 12x12 Gift Shop which was permitted by Skagit county. The retail building is the only permanently installed improvement that is recognized by the Skagit County assessor. It has 220 square feet and is secured to a post and beam foundation. It was constructed in 2017 under a building permit and is attached to a semi-truck trailer and a steel cargo shipping container which are both parked side-by-side.
 - shown on the site plan.



animal control(s), the United States military and the USDA. Under RCW 16.20.020, POTH displays animals at state fair(s) approved by the Washington Department of Agriculture pursuant to RCW 15.76 and/or RCW 36.37. This exemption affords POTH opportunities to house and maintain exotic animals. Skagit County's animal law is based on the state dangerous wild animal law, which also prohibits ownership of potentially dangerous wild animals. Animals possessed in violation of these laws must be taken to an appropriate facility; RCW 77.15.250 prohibits the release of deleterious exotic wildlife into the wild.

3. Demonstrate that the proposed use will not create undue noise, odor, heat, vibration, and air or water pollution on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.

- POTH disposes of all animal waste biweekly through trash service. All waste, meat products, and trash are bagged and disposed of properly in accordance with local, state and federal law and guidelines. However, POTH has had issue(s) with local neighbors disposing of chicken and pig waste near its property line frequently.
- POTH has been located on the property and doing business as a USDA certified wildlife sanctuary, 501(c)3 non-profit, since 2001. Since that time, there have been no noise, odor, heat, vibration, air or water pollution complaints. POTH has sought to partner with the community to ensure the safety of the community and well-being of its inhabitants, mitigating traffic on its own and ensuring that there are and will not be any undue noise, odor(s), heat, vibration, air or water pollution in accordance with SCC 14.16.840. As a wildlife sanctuary, POTH endeavors to keep the land as natural as possible for the animals and the community.

4. Demonstrate that the proposed use will not generate intrusions on privacy of surrounding uses.

- POTH sends all guests very clear and specific guidelines/directions when they book a private tour on how to get to our property. We have installed 3 small signs to help give directions to our property and prevent guests from mistakenly going to surrounding properties. When guests enter our property gates are closed until the end of the tour. Guests remain on our property from start to finish. Message sent to guests; Good morning, please help us respect our neighbors by following directions to our property! As you come down Welch Lane you will see our Airbnb sign on the back of stop sign telling you to continue straight. As you continue straight you will see a nice, paved road to a beautiful gate on left, THAT IS NOT OURS! (PLEASE DO NOT RING THE BELL ON THIS GATE!!!) Continue straight onto a gravel road where you will see another Airbnb sign is posted. As you pull onto gravel road you will take your immediate left and follow that road all the way to the end. (Sign will have Arrow pointing you in the right direction) By following these directions you will help us help our neighbors by respecting their private properties!

5. Demonstrate that proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

- POTH currently has multi-layered fencing installed to keep the general public out of our facilities. This includes: 8-foot fencing with "dig-outs" as well as additional six-foot fencing to provide a double layer of fencing so that wolves cannot escape. All of our predatory animals, including wolves, are kept in six-sided enclosures overnight so that they cannot escape—this means that there are fences above and below the animals so they cannot dig out or jump out of the enclosure. Our main point of entry has an automatic locking gate with code entry only. We have a 32-camera security system installed to help keep watch on all animals and points of entry. All animals are under a double and triple locking system when staff is completed with their day. POTH would

like to get the property fenced in its entirety and relocate the wolves to a central area within the property. We take public safety very seriously and have met all USDA guidelines along with any request made by Skagit County Animal Control.

6. For special uses in the Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL zones, demonstrate that the impacts on long-term natural resource management and production will be minimized.

- POTH has always and will always strive to keep the land as natural as possible, which will allow for the most give the animals their most tranquil and ecologically similar environment. Keeping the land as native as possible and preserving it's natural state will thoroughly benefit the animals and, as stated, will allow our guests to be most closely immersed in what the natural habitat would be like for these animals. We intend to keep as many of the beautiful, native trees to act as natural buffers on our property, with plans to "top" any dead or dying trees that might cause potential danger to animal enclosures, perimeter fencing, neighboring properties and guests. Our trees are regularly inspected by an arborist to ensure maximum safety. For every tree that is removed or "topped", POTH plants a new tree to ensure the continual growth and renewal of the land's natural state. As soon as is feasible, POTH intends to migrate its energy consumption to solar power in order to reduce its carbon footprint as much as possible.

7. Demonstrate that the proposed use is not in conflict with the health and safety of the community.

- For 23 years POTH has been doing school assemblies, county/state fairs, providing a safe place for animals to go for animal control for several counties. POTH has been USDA certified, inspected, and insured for over 20 years. We have USDA-approved facilities and have met all requirements on a federal level and state level. POTH is constantly making improvements to the facilities to better the animals' lives and ensure the safety of our community. We have also met all requirements set out by Skagit County Animal Control. POTH is regularly inspected by federal authorities, most recently in September, as well as state and local authorities.

8. Demonstrate that the proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

- As explained above, POTH has been and will continue to be a vital resource for local law enforcement, military, animal control(s), DFW, and other government entities. These entities confiscate animals, such as cougars, alligators, and other exotic animals and, without organizations like POTH, would have to simply kill these animals. Having POTH as a resource allows these animals to remain alive, and further, providing an educational service to the community. Our facility only brings value to the surrounding areas and community. We bring in tourists from all over the United States and the world before COVID. We recommend our local restaurants, hotels and parks to up to 20 people a day, 6 days a week. We also provide a resource of education to our local schools, boys and girls clubs, girl scouts, and boy scouts.

9. Demonstrate the proposed use will maintain the character, landscape, and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts. Nothing has changed and we have tried to keep the rural settings for our business

- Again, POTH's goal is to keep the land as natural as possible, keeping the beautiful buffer of trees, plants and other vegetation that surround it. In a world that is driven by development, POTH's property is being used to preserve the natural habitat of the land, and will continue to do so. This is in stark contrast with a developer or other builder that might intend to simply tear down the trees, vegetation and shrubbery. We do plan to top any dead trees that may cause potential danger to enclosures, perimeter fencing, or

neighbor's properties, but, as noted above, re-plant any tree that is removed due to its death or topping. Our goal is to ensure the land stays beautiful and forested as intended. There is no other business in close proximity to our non-profit 501(c)3. We will be keeping the Rural setting for our business as much as possible and will continue to do so as long as our operations can continue.

Additional Questions requested

A. Please describe/outline in detail what regulations the operation is required to comply with and how the operation is, or will be, run in accordance with those regulations.

POTH has been in operation on this parcel since 2001. We are USDA certified and inspected regularly. We have met all Federal guidelines that are required to house exotic animals. Our facility was inspected in September 2021 and passed all requirements needed to operate. POTH has been approved by USDA to house and exhibit wolves. USDA officials have joined in on tours and approved our current program deeming it safe and have met all USDA guidelines of wildlife exhibiting. POTH is a class C exhibitor and holds the highest USDA license available. POTH also operates according to the exemptions of Washington State RCW 16.30.020 (c), which allows for an incorporated nonprofit to house animals at the written request of animal control (or an authority acting as animal control, such as a sheriff or local law enforcement agency). **(POTH houses several animals at written request and turned over by Animal control directly)** POTH also falls under RCW 16.30.020 (I) A person displaying animals at a fair approved by the Washington department of agriculture pursuant to chapter 15.76 or 36.37 RCW; **(POTH completes at least one State fair yearly to comply with current RCW Codes of exemption).**

B. What safety protocols do you have in place and how do they comply with the USDA regulations.

POTH meets all the USDA safety protocols and is required on a federal level to comply with the regulations set by the USDA. POTH has developed extensive safety protocols and procedures regarding who can handle the animals, feeding and maintenance schedules, behavioral procedures regarding predatory animals (i.e. wolves, cougars and venomous snakes), escape procedures, severe weather procedures regarding animal care and husbandry, veterinary care procedures and protocols and apparel and dress protocols. See attached Exhibit A, "Safety Protocols & Procedures". Note: the attachment is not an exhaustive list of our protocols and procedures but are available upon request for Skagit County review.

C. Please provide a list of the types and number of animals currently on site and what types and amounts of animals may be proposed on site for the future.

Current animals at POTH:

Mammals: 3 cougars, 2 bobcats, 24 wolfdogs, 3 sloths, 1 armadillo, 2 opossums, 1 coatimundi, 2 marmosets, 1 fox, 1 giant anteater, 1 north American porcupine, 1 stripe skunk, 1 hooded skunk, 3 sloths, 2 kinkajous, 4 raccoons

Birds: 1 Eurasian eagle owl, 1 vulture, 2 ducks, 1 lady Amherst pheasant, 2 golden pheasants, 3 blue and gold macaw, 2 military macaw, 1 Catalina macaw, 6 sulfur-crested cockatoos, 1 citron cockatoo, 1 lord Darby, 6 plum head parakeets, 1 blue fronted amazon, 1 double yellow amazon, 20 parakeets, 2 cockatiels, 1 emu

Reptiles: 5 alligators, blue tongue skink, Savannah monitor, 2 iguanas, 2 reticulated pythons, 4 ball pythons, 1 rattle snake, 1 carpet python, 1 rainbow boa, 1 albino python, 1 blood python, 1 caiman lizard, 1 beaded lizard, 2 Burmese pythons, 4 sulcata tortoises, 2 red footed tortoises

Prediction to be onsite in future: We cannot predict what will be onsite in future. We can say it will be in the category of smaller mammals, small/mid-size cats, birds and reptiles. We do not ever know the

requests that will be made by Animal Control, Fish and Wildlife and outside governmental agencies. We do not take in outside adult wolves or big cats.

D. Describe in detail how the animals are kept: Types and location of enclosures, fencing (length, height, location, etc.), amount of area required for each (i.e., square footage, acreage?) and what amount of area is currently provided for each.

ALL ENCLOSURES ARE UNDER LOCK AND KEY PADLOCK SYSTEM. Each animal caging requirement is different depending on species, but is in full compliance with USDA regulations as well as animal control and DFW guidelines -All small mammals have 6 sided enclosures. This means bottom of enclosures are lined with a wire mesh or chain-link and they are topped. All small mammal enclosures have a 6' with tilt in perimeter fence that with at least a 3' walkway in between enclosure and perimeter per USDA requirements.



-All wolf enclosures are at least 6'-8' high. Our post and stretch fencing is 6' and our chain-link panel are 8' high with electric wire running top and middle and bottom. Wolves in our bottom part of our compound have 6' fencing with a 6' perimeter fence with 1.5' tilt ins. Wolves in bigger 1-2-acre runs are 6' high with 1' tilt in's and a 3-strand hot fence system 8-9 volt. Wolves are put away into night runs when staff is unavailable to supervise in bigger runs. All night runs are 24'x24'x8' with cattle panel bottoms, chain-link tops with solid roof tops. All night runs placed within the acer runs act as permitter fence for night runs. Both permitter doors and cage doors are locked with padlocks. This is more than is required by the USDA.



-3 cougar enclosures and 1 bobcat enclosure are 24'x36' each. They all have chain-link roof. Per USDA guidelines all cat enclosures must have a covered walkway /perimeter fence. All cats have a 3' walkway all the way around enclosures that is topped. It also includes an additional 6' with tilt in perimeter fence for extra safety.



-Bird flights are chain-link and topped. No dig outs are required for these enclosures.



- South American Trailer- Sloths, armadillo, kinkajous and tortoises are kept in a 40' mortified insulated container. This ensures that temperatures remain over 80 degrees as each animal housed in this facility requires that temperament for survival.



- Reptile house. Reptile house is another 40' refer unit and contains wooden enclosures with glass fronts and consist of all sizes to accommodate species of snakes or lizards. Reptile house temperature is always set at 82 degrees. The main heat source is propane furnaces. Some reptiles require UVB lighting and cages are set up to accommodate the special lights needed.



- E. **Describe how the animals are cared for. When and how often are they fed and what the food source is. When and how often are they inspected by a veterinarian and does that take place on or off site. How often are the enclosures cleaned?**

POTH has a staff that cares for these animals daily. All animals' enclosures are cleaned daily. Mammals and birds are fed daily Monday-Saturday and fasted on Sunday. Reptiles are on a strict feeding schedule according to their species requirements. Food comes from our donors of Walmart, Chief Store, Del Fox Meats and local farmers. As many of our animals come to us as rescues and require specialized diets, we also purchase supplement foods from Mazuri Exotic Foods, Chewy, Rodent Pro, Costco, Amazon and other exotic animal food sources. All animals are inspected by veterinarian at least 1 time a year, unless medical attention is needed. Animals are both seen by a veterinarian on and offsite depending on medical reason.

- F. **Describe how the waste is handled. How and where is it disposed of? How often is it disposed of?**

POTH disposes of all animal waste biweekly through trash service waste management. All waste, meat products, and trash are bagged and disposed of properly and in accordance with local, state and federal law.

LETTERS OF RECOMMENDATION:

February 4, 2022

CITY OF ANACORTES

Matt Miller, Mayor - Personal
Planning, Community & Economic Development
City Council
Administrative Services
Public Works
Anacortes Parks & Recreation
City Attorney

Anacortes Chamber of Commerce

This letter is being written in connection with "Predators of the Heart" a non-profit sanctuary for wolves and other animals located near Anacortes, Washington in Skagit County Washington.

It is my understanding that Predators of the Heart its endeavoring to update and/or acquire permits for the facility and they have been met with some resistance.

My wife and I have lived in Anacortes for over 20 years. I presently live very close to Predators of the Heart facility. During my ENTIRE time living in Anacortes I have-not heard any adverse or negative statements concerning Predators of the Heart!

I did not know of the existence of Predators of the Heart until approximately 5 years ago when I received a telephone call from my granddaughter (Chloe) who lives in Ohio asking why i did not take her to see the wolves in Anacortes. I told her that I did not know about it and would certainly take her and family to Predators of the Heart on their next visit providing was safe etc.

My investigation found the facility to be safe, educational, and an opportunity to expand one's knowledge through face to face interaction with the wolves and other animals. We, my family from Ohio visited the sanctuary on their very next trip from Ohio which was a very short time after the call from my granddaughter.

Have visited the Predators of the Heart site several times since learning of existence! Each time I have found the facility to be in exceptional condition, safe, and in constant upgrading to ensure future safety for both the animals in the complex and the adjacent public. On each visit the staff was a class act.

I know our government has regulations and procedures in place that require a non-profit animal sanctuary to meet and maintain high standards and is subject to frequent audits. Since

Predators of the Heart has been in existence for over 20 years - it has obviously met the requirements.

What a huge opportunity "Predators of the Heart" is for educational purposes for our local community!

It also adds to our water endeavors, such as kayaking, whale watching, fishing and hiking etc. that our wonderful island offers. In addition, it generates revenue to the city of Anacortes when people visit and use/enjoy our restaurants, lodging, and shopping at our unique stores.

It is ironic, that I found the existence of Predators of the Heart because a Ohio couple on their honeymoon visited the facility - told my granddaughter how great it was - who called me and bawled me out for not taking her there - WOW what a powerful advertiser word of mouth is!!! "Predators of the Heart" is a WIN WIN for the City of Anacortes, Skagit County, and our entire local area!

It is very safe, in my opinion, and must have met all government regulations for the 20 plus years it has been in existence.

I ask for support from our city, county and whoever else to approve what is necessary to keep this wonderful educational, revenue generating and unique facility operating for the benefit of people in the future.

Thank you in advance for considering my first hand knowledge of "Predators of the Heart".

Sincerely,

Pete Nelson, Former General Director of Risk Management Department of a (self-insured) Large Corporation and Adjunct Instructor, Business Law and other business subjects at Skagit Valley College for 10 plus years

cc: Predators of the Heart

PREDATORS OF THE HEART ANACORTES

To: Ms. Ashley Carr, Administrative Manager

This letter is in regards to, "Predators of the Heart," a non-profit organization for animal conservation located in Skagit County, near Anacortes WA. This organization is also the host of "Wolf Encounters," an experience that provides visitors with an opportunity to spend time with the animals in an up-close and safe environment. As someone who has attended the Wolf Encounter experience and has interacted with the other animals at the site, I would like to share my experience with you.

My father has lived in Anacortes for over 20 years now and my family has made many trips from Ohio to visit and enjoy the beauty of the city and surrounding waters. We have whale watched, kayaked, hiked and hit the downtown shops and restaurants. About 5 years ago, my daughter who works at Goodyear Tire and Rubber Headquarters in Ohio, sent me a text demanding to know why we had never gone to Predators of the Heart! Apparently, a recently married co-worker and his wife went there while traveling the Pacific Northwest on their honeymoon. The reason was we didn't know it was there! Predators of the Heart sits in the woods near my dad's house, but he didn't know of it either. Of course, he scheduled a visit right away and loved every moment of it and we set up a tour on our next trip to see him. It was an experience we all talk about to this day! How else would you ever get an opportunity to touch, pet and get an up close interaction with a wolf (Max and his mom for us), sloths, albino skunks, a cougar and others? The tour was personal, educational and at NO time did any of us feel anything but safe!

We were in absolute awe of the animals and the work done there to allow others a small moment of that experience. It was truly amazing. I know my dad has returned and taken others since then to experience it with the same appreciation.

Apparently, the organization is facing scrutiny and the concerns of a few that its present location is unsafe. I would like to refute that by again saying it felt very safe for my family; I took my children there! On our visit we did the tour with a young couple from Seattle. This is where they go every year for a wedding anniversary gift, because of the love and respect they shared for the work. Since that time, I have made several charitable contributions to Predators of the Heart to offer something that supports the important work that they do. I believe it is important to appreciate wildlife as something more than a photo or a meal. The interaction with the animals should be personal to build respect and educational to foster true understanding of wildlife. This has been the mission of Predators.

I truly feel this place offers a rare opportunity for the Anacortes area. It is an attraction, the same as kayaking and whale watching, and brings people into a small town that otherwise might not be visited. People visit, they eat there and probably stay which is revenue for the local businesses and, most importantly, they leave and share their unique experience with others. It is truly a one of a kind adventure.

I would ask for the support of local and county decision makers in keeping this resource available to the general public. It is a jewel to the owners, and they take great care in the stewardship of it for all the right reasons.

Thank you in advance for your consideration of my thoughts and ask.

SINCERELY,

DANA NELSON, RN MN APRN CNS 3

Dear Mr. Mayor,

We write to you in support of Predators of the Heart (PH) which we understand is seeking a required permit from Skagit County. We are directing comments to your Office because we hear that the City is expressing opposition to PH's permit application on the grounds that there is lack of interest and support within the community.

We live in the County just outside Anacortes City Limits. We shop, of course in Anacortes, patronise local restaurants, many other businesses and amenities there. We are supporters of PH. Our immediate families live in Seattle and Atlanta, and it is their practice to rent facilities within Anacortes when they visit us. On several occasions, we have visited PH, and with our families too. It has always been a rewarding, informative, and uplifting experience. We ourselves are avid world travelers (and erstwhile trekkers); wild places and wild animals being our primary interests. PH fits well with our love of nature.

We hope our comments are useful, and, of course, would be happy to answer any questions you may have.

Respectfully, Hugh and Wendy Kendrick

11342 Mainsail Lane
Anacortes, WA 98221
360-293-0932

Colin & Deanna Emsley
2200 20th Place, Anacortes, WA 98221
360-333-2387
colinsmarine@gmail.com
emsley.deanna@gmail.com

Dear Recipient,

It is our sincere pleasure to enthusiastically recommend that Predators of the Heart be given permission to continue operating within Skagit County, and specifically within the vicinity of Anacortes.

We have been residents of Anacortes for nearly twenty years and have operated a tourist-oriented marine business during that entire time. We have witnessed time and time again the incredible impact that Predators of the Heart ("POTH") has on visitors to this area. Every group that we refer to POTH comes away absolutely spellbound by the experience. We have had clients make repeated trips back to Anacortes specifically so that they could incorporate a visit to POTH.

As residents who live less than 3-miles away from POTH, it is no surprise to us at all that everybody who visits the sanctuary is forever changed by the experience. The unique combination of animals at POTH, combined with the unparalleled ability to get such an intimate look into their lives, truly sets POTH apart.

Beyond the majesty of the animals themselves is the incomparable passion that the entire POTH team has for their critical dual mission of conservation and education. It is this dual mission more than anything else that truly sets POTH apart, and which in turn helps set Anacortes apart.

We beam with pride each time we refer our clients to POTH, and we relish our own visits to the sanctuary as often as possible.

Anacortes is always quick to tout its commitment to the natural playground within which it sits. A continued commitment to POTH is critical example of living up to that heritage and pledge.

Regards,

Colin & Deanna Emsley

SAFETY PROTOCOLS

(ANIMAL RECAPTURE PROTOCOLS)

INTRODUCTION

PURPOSE

Purpose is to properly house and exhibit exotic animals at POTH wildlife sanctuary/conservation located at 4709 Welch Lane, Anacortes, WA 98221. All POTH enclosures have met USDA guidelines and are designed for safe containment through housing, shifting, holding and transporting. However, no matter how well enclosures are designed, and safety protocols are followed, escape is a possibility. Therefore, POTH has created a "Safety Protocol" including an animal escape and recapture protocol. This is to ensure quick and safe recapture in the event of an animal escape. A safety guideline has been established to protect visitors, employees and neighbors from possible harm. Ensuring routine facility practices are reviewed to help prevent similar situations from occurring.

Our goal is to create this "Safety Protocol" to help prevent escapes and ensure proper training is given to staff on how to respond quickly and efficiently in case of an emergency. We accomplish this by providing clear guidelines, roles, responsibilities, procedures and tools needed in any situation. Our objective of the "Safety Protocols" is to provide the proper training, tools and drills ensuring best practices are accomplished. POTH will be performing at least 2 training drills a calendar year. This practice will ensure that staff can safely implement all aspects of a recapture plan should an escape occur.

ASSOCIATED EQUIPMENT

Blowpipe 180DM w/ Detachable Mouthpiece, CO2 Deluxe Pistol, Jab stick, Bear Spray, Blow Horn, Ruger EC9s 9MM (Concealed carrier license Ashley Carr, Danny Overman)

KEY DUTIES FOR OPERATION TIERS

TIER I (EXPERT HANDLER/MANAGEMENT)

Expert handlers have a minimum of 5 years of animal husbandry, handling, training and on the job experience. Expert handlers have been through big cat training and are USDA certified of POTH to handle big cats. POTH board of directors will determine if a staff member is qualified to be a tier I.

TIER II (INTERMEDIATE HANDLER)

Intermediate handlers at POTH must have 2 years of animal handling training or on the job experience. Intermediate handlers may handle all species of animals except for big cats (any exotic cat over 65lbs)

TIER III (BASIC HANDLER)

Basic handlers must have 6 months (40 hour work weeks) of on the job training with a tier II or tier I handler. The Basic Handler will perform tasks of feeding the animals, cleaning their living and sleeping areas, and other aspects of basic care. Animals for a tier III will help with wolf encounters under tier I or II supervision and start training in basic wolf behavior and handling.

TIER IV (HANDLER IN TRAINING)

Staff member in training before handling any animals. Must have 25 days of training before performing basic tasks without supervision. No animal handling will be performed without Tier I supervision and training.

TIER REQUIREMENTS FOR HANDLING ANIMAL

1. BIG CAT

Tier I handlers ONLY may enter enclosures with big cats. Tier II may perform daily care for big cats including, feeding, watering and cleaning. All big cats must be in lock out for Tier II to enter the enclosure. Tier II may shut lockouts for Tier III and IV to perform daily tasks. Tier II must lockout so no tiers III or IV can enter an enclosure with a big cat.

2. SMALL CATS

Tier I and Tier II handlers ONLY.

3. WOLF DOG

Wolf dogs ambassadors may be worked with by Tiers I,II,III. Tier IV must be supervised by a Tier I or Tier II to enter the cage of wolf dog ambassador.

Wolf dogs in conservation status (not public working wolves) may only be worked with by Tier I and Tier II.

4. SMALL MAMMAL

Small mammals may be handled by Tiers I, II, and III. Tier IV may not handle animals and should only perform daily basic tasks to care for these animals such as clean enclosures keeping safe distance, pull food and water dishes, water and feed, and complete basic maintenance needed in enclosures.

5. BIRDS OF PREY AND BIRDS

Tiers I, II, and III may handle birds. Tier IV may not handle animals and should only perform daily basic tasks to care for these animals such as clean enclosures keeping safe distance, pull food and water dishes, feed and water, and complete basic maintenance needed in enclosures.

6. REPTILE (NON-VENOMOUS)

Tiers I, II, and III may handle reptiles. Tier IV may not handle animals and should only perform daily basic tasks to care for these animals such as clean enclosures keeping safe distance, pull food and water dishes, feed and water, and complete basic maintenance needed in enclosures.

7. REPTILE (VENOMOUS)

Tier I and Tier II ONLY may handle or care for venomous reptiles.

ANIMAL ESCAPE/RECAPTURE PROTOCOL

REPORTING ESCAPE OF DANGEROUS ANIMAL

KEEP THE ANIMAL UNDER OBSERVATION FROM A SAFE DISTANCE UNTIL HELP ARRIVES. DO NOT ATTEMPT TO RECAPTURE, HERD, OR APPROACH AN ESCAPED ANIMAL ALONE. Each and every animal escape, regardless of relative danger posed by the animal, is to be reported. Dangerous animal escapes must be reported immediately to a Tier I employee by hand-held radio or by phone if unreachable by radio. The employee reporting the escape should remain calm, speak deliberately and clearly and provide the following information to the best of their knowledge:

1. Animal species that escaped.
2. If animal is still in perimeter fencing
3. The number of escaped animals observed
4. Exact location of animal(s)
5. Direction of animal(s) movement
6. Condition and behavior of animal (injured, panicked, running, etc)

Employees must have a handheld radio while working. Radios are available in the POTH gift shop. Radio is set to the correct channel. Incident report must be completed after capture

REPORTING ESCAPE OF NON-DANGEROUS ANIMAL

Animals not listed in the dangerous animal section of this document are not considered an immediate potential danger to employee's, visitors, or neighbors. Some animals are highly mobile (e.g. small primates) and can possibly be difficult to recapture. Other animals that are less mobile will allow for an easier capture. Responses to escapes by these species may or may not require the full response team like required for dangerous animals. All escapes must still be reported. If the escaped animal requires a significant level of staff response to support quick recapture it should be reported via radio to POTH staff immediately. For cases involving highly benign species with poor mobility (e.g. turtles or small ducks) the first report can be made directly to Tier I or Tier 2 staff members to help and ensure safe capture of animals. Incident reports must be filled out after safe capture of animals.

ESCAPE OFF POTH COMPOUND

In cases where an escaped animal leaves POTH grounds (is beyond the limits of the perimeter fence) the president or other persons in charge will instruct notify the following agencies by calling 911 dispatch:

1. Skagit County Animal Control
2. Anacortes Animal Control
3. Anacortes Police Department
4. Anacortes Fire Department
5. Mt. Erie Volunteer Fire Department

POTH will send a Tier 3 employee to the Emergency staging area (Front Main Gate) to meet the responding agencies and provide POTH radio to allow communication and coordination between outside agencies and the recapture team.

KEY RESPONSE AUTHORITIES

Tier I - Ashley Carr: 360-770-7479

Tier II Employee onsite

Skagit County Animal Control: Emily Diaz: 360-428-3211

City of Anacortes ACFL: 360-293-1918

Asa Deane at Friends of the Forest ACFL: 360-399-6184

Diana Forbes DVM, USDA, APHIS: 206-478-4881

Caleb Stewart Legal Console: 425-455-3900

WEAPONS MANAGEMENT

Blowpipe 180DM w/ Detachable Mouthpiece, CO2 Deluxe Pistol, Jabstick, **Ruger EC9s 9MM**
(Ashley Carr / Daniel Overman ONLY)

TIERS DUTIES AND RESPONSIBILITIES IN ESCAPE

TIER I RESPONSE DUTIES

- Contact 911/USDA if animal escapes POTH property
- Evaluate situation
- Give clear guidelines and plan for recapture plan to tier II
- Carry appropriate weapon if necessary

TIER II RESPONSE DUTIES

- Perform responsibilities of Tier 1 if not on premise
- Work with Tier I to recapture animal
- Carry appropriate weapon for capture if necessary
- Update Tier III with current status of capture

TIER III RESPONSE DUTIES

- To set up a base at the main gate to allow proper authorities if needed if an animal escapes off POTH property.
- To provide updates and communication to outside agencies if animals escape off POTH property. (POTH radio to be provided to agencies)
- To provide any tools necessary to staff for safe recapture
- Contact local agencies not associated with 911 or USDA if requested by Tier I

TIER IV RESPONSE DUTIES

- Check ALL perimeter fences are properly closed including front gate
- Stand at camera monitor and monitor animal movement/capture
- If animals escape during a tour, escort the tour group safely to the gift shop and have them remain calm.
- To complete any task given by Tier I or Tier II

AUTHORITY CONTACTS

TIER I CONTACTS

Ashley Carr / President 360-770-7479

Daniel Overman / Vice President 360-982-8313

SKAGIT COUNTY CONTACTS

Skagit County Animal Control- Emilly Diaz: 360-428-3211

USDA

Diana Forbes DVM, USDA, APHIS: 206-478-4881

CITY OF ANACORTES/ACFL CONTACTS

City of Anacortes ACFL 360-293-1918

Asa Deane at Friends of the Forest ACFL 360-399-6184

LEGAL TEAM

Caleb Stewart at Oseran and Hahn 425-455-3900

NEIGHBOR CALL LIST

TO BE ANNOUNCED

LIST OF DANGEROUS ANIMALS

- Cougars
- Wolves

LIST OF NON-DANGEROUS ANIMALS

- Anteater
- Porcupine
- Kinkajou
- Sloth
- Opossum
- Raccoon
- Fox
- Birds
- Skunk
- Armadillo
- Coatimundi
- Bobcats
- Constricting Reptiles
- Lizards
- Tortoises
- Alligator
- Marmosets

PREVENTION SAFETY PROTOCOLS

STAFF PREVENTIONS MEASURES

It is staff's responsibility to assure the safety of the public, neighbors and the animals by taking proper safety measures. All doors must be closed and locked upon entry and exit. Enclosures doors and locks must be checked to ensure they are functioning properly at all times. All staff must be observant to possible hazards to enclosures such as, overhanging limbs, dead trees, possible perimeter hazards etc. All hazards must be reported to management immediately. Employees must also keep a close eye on primary enclosures to assure they are in good repair. All perimeter fences must be checked daily. All electric fencing needs to be at 8.2-9.8 volt and popping, if not the employee must find ground out immediately. Failure to follow these safety protocols, leading to a loss of animal, will lead to immediate disciplinary actions against employees.

A. Background

1. Name of proposed project, if applicable:

Predators of the Heart- Animal Preserve Permit- Special use permit

2. Name of applicant:

Predators of the Heart / Ashley Carr

3. Address and phone number of applicant and contact person:

Ashley Carr
13658 Harbor Lane
Anacortes, WA 98221
360-770-7479

4. Date checklist prepared:

3/18/22

5. Agency requesting checklist:

Skagit County Planning and Development

6. Proposed timing or schedule (including phasing, if applicable):

N/A

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

N/A

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

N/A

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No

10. List any government approvals or permits that will be needed for your proposal, if known.

Special Use Permit
USDA Class C Exhibitors Permit

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

ANIMAL PERSEVE PERMIT- NO PROJECTS AT THIS TIME

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s).

Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

B. Environmental Elements

Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

Approximate 45%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Forest soil on top of bedrock, brought in gravel

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Purpose would be for leveling areas for enclosures.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Less than 3%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Native trees and ground cover are left in place to help with erosion.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

None

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

3. Water

a. SurfaceWater:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

None

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

b. Ground Water:

No

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No well on site. City water.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Gray water and 10-person sewage system 2 outhouses pumped biweekly by diamond rentals. In 2019, Septic # 60998, a 2 compartment, with 1750 tank, gravity flow, was installed at hilltop homesite area.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Storm water, natural storm rain run off. No collection

2) Could waste materials enter ground or surface waters? If so, generally describe.

No, we dispose of all animal waste properly. No compost on site

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A

4. Plants

a. Check the types of vegetation found on the site:

☒ **x** deciduous tree: alder, maple, aspen, other

☒ **x** evergreen tree: fir, cedar, pine, other

☒ **x** shrubs

☒ **x** grass

☐ pasture

☐ crop or grain

☐ Orchards, vineyards or other permanent crops.

☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

☐ water plants: water lily, eelgrass, milfoil, other

☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Removal of dead or dying trees when needed. Less .25% if any.

c. List threatened and endangered species known to be on or near the site.

N/A

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

We plan on keeping landscape as natural and native as possible. (established shrubs and trees)

e. List all noxious weeds and invasive species known to be on or near the site.

Blackberries are on part of the property, but we keep them controlled

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Eagles, red tail hawks, owls, coyotes, woodpeckers, song birds, hummingbirds, deer

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

N/A

c. Is the site part of a migration route? If so, explain.

N/A.

d. Proposed measures to preserve or enhance wildlife, if any:

Our mission is preserving wildlife by limiting amount of ground work needed.
We will be keeping the natural land intact as much as possible.

e. List any invasive animal species known to be on or near the site.

Gray squirrels

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

electric, propane with plans to change to all solar.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Our goal is to switch our compound to solar energy

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

None

1) Describe any known or possible contamination at the site from present or past uses.

N/A

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A

4) Describe special emergency services that might be required.

N/A

5) Proposed measures to reduce or control environmental health hazards, if any:

N/A

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

- 2) **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indi- cate what hours noise would come from the site.**

Natural animal noises at time but minimal

- 3) **Proposed measures to reduce or control noise impacts, if any:**

N/A

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

Adjacent properties have Personal sawmill, livestock, and off road quad and dirt bike track.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

N/A

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

N/A

- c. Describe any structures on the site.**

There is a 12x12 gift shop and two 40' shipping containers on site

- d. Will any structures be demolished? If so, what?**

No

- e. What is the current zoning classification of the site?**

Rural Reserve

- f. What is the current comprehensive plan designation of the site?**

Animal Preserve

- g. If applicable, what is the current shoreline master program designation of the site?**

N/A

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**

No

- i. Approximately how many people would reside or work in the completed project?**

Up to 5-10 people

- j. Approximately how many people would the completed project displace?**

zero

- k. Proposed measures to avoid or reduce displacement impacts, if any:**

N/A

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

We are leaving land as natural as possible.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, mid- dle, or low-income housing.

0

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

0

c. Proposed measures to reduce or control housing impacts, if any:

No houses will be built

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

12 feet 12x12 cabin

b. What views in the immediate vicinity would be altered or obstructed?

None

b. Proposed measures to reduce or control aesthetic impacts, if any:

Leaving everything as natural as possible

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

c. What existing off-site sources of light or glare may affect your proposal?

N/A

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Hiking and site seeing

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Our goal is to keep the beauty of the land

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

N/A

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

None

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

None

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

h. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

N/A

b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

16. Utilities

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,

other: Propane

c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Alex

Name of signee Ashley Carr

Position and Agency/Organization Predators of the Heart

Date Submitted: 3/22/22

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented.

Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

N/A

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts

are: None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are: None

6. How would the proposal be likely to increase demands on transportation or public services and utilities? Proposed measures to reduce or respond to such demand(s) are: NONE

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None

3/27/2009 Page 1 of 2 2:04PM
200903270122
Skagit County Auditor

AUDITOR Youngquist
DEPUTY AUDITOR Shannon

CONSENT
KNOW ALL PERSONS BY THESE PRESENT, THAT THE UNDERSIGNED SUBDIVIDERS HEREBY CERTIFY THAT THIS SHORT PLAT IS MADE AS THEIR FREE AND VOLUNTARY ACT AND DEED.

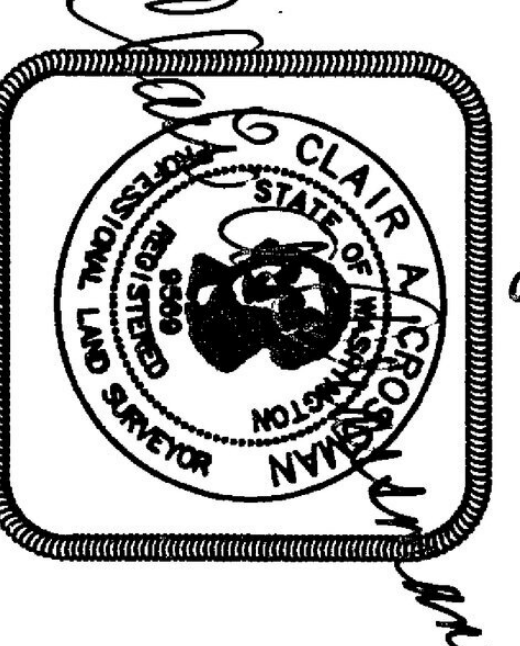
RICHARD K. JOHNSON
DIANA JOHNSON
WELLS FARGO BANK, N.A.
BY Edward A. Debus, Vice President
ACKNOWLEDGEMENT
STATE OF WASHINGTON
COUNTY OF SKAGIT

ON THIS 18th DAY OF February, 2009, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED RICHARD K. JOHNSON, HUSBAND AND WIFE, TO ME KNOWN TO BE THE INDIVIDUALS DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THEY SIGNED AND SEALED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR WRITTEN.
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT 1701 N. High St. Camille
Chula Aranda MY COMMISSION EXPIRES 01/11/2012

STATE OF ~~WASHINGTON~~ Maryland
COUNTY OF ~~SKAGIT~~ Fredrick
ON THIS 18 DAY OF February, 2009, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ~~WASHINGTON~~ Maryland, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Edward A. Debus, Vice President AND Wendy Land TO ME KNOWN TO BE THE MANAGER OF WELLS FARGO BANK N.A., A CORPORATION, AND ACKNOWLEDGED THAT HE/SHE EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE PURPOSES THEREIN MENTIONED, AND ON DAITH STATED THAT HE/SHE IS AUTHORIZED TO EXECUTE SAID INSTRUMENT AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR WRITTEN.
Wendy Land MY COMMISSION EXPIRES 08/29/2010
NOTARY PUBLIC IN AND FOR THE STATE OF ~~WASHINGTON~~ Maryland, RESIDING AT 8480 Shogers
Circle, Frederick, MD



SURVEYOR
Crossman & Associates
16146 McLean Road
Mt. Vernon, WA 98273

11-25-08
SHORT PLAT NO. PL06-1121
SHEET 1 OF 2

SHORT PLAT FOR: Richard & Diana Johnson
4665 Welch Lane
Anacortes, WA 98221

A PORTION OF THE NW 1/4 OF THE NE 1/4 OF SEC. 35, T2N 35N, R3E 1E, W.M. FOR RICHARD AND DIANA JOHNSON

HERRIGSTAD ENGINEERING PS
4320 WHISTLE LAKE ROAD, ANACORTES, WA 98221 360-299-8804
DWN BY: DKA
CHECK BY: CAC
DATE: May, 2008
SCALE: 1"=200'
JOB NO.: 650

The JOHNSON Shortplat

NE 1/4, SEC 35, T35N, R3E 1, E.W.M.

LEGAL DESCRIPTION
PARCEL A:
The North Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, Skagit County Washington.

EXCEPT that portion of the North Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian described as follows:
Beginning at the Southwest corner of the said North Half, Thence North 0°32'05" East a distance of 17458 feet along the West line of said North Half; Thence South 44°08'02" East a distance of 14168 feet; Thence along a curve to the left, concave to the North, having a radius of 238 feet and an arc length of 190.77 feet; Thence North 89°38'51" East along the South line of said North Half a distance of 27157 feet to the true point of beginning.

Situated in Skagit County, Washington.
PARCEL B:
A portion of the Northeast Quarter of the Northwest Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, described as follows:
Beginning at the North Quarter corner of said Section 25; Thence South 89°15'03" West, a distance of 7788 feet along the North line of said section; Thence South 0°32'05" West, a distance of 299.95 feet; Thence South 19°48'46" East, a distance of 157.79 feet; Thence South 31°06'09" East, a distance of 4389 feet to the East line of the Northwest Quarter of said Section; Thence North 0°32'05" East, a distance of 487.01 feet to the true point of beginning.

Situated in Skagit County, Washington
PARCEL C:
An easement for ingress, egress and road and utility purposes over the following described parcels:
1. The South 20 feet and the East 30 feet of the North Half of the South Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian;
2. The North 20 feet and the East 40 feet of the South Half of the South Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian;
Except the East 20 feet thereof;
3. The South 40 feet of the South Half of the Northeast Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian;
EXCEPT any portion thereof lying within the County Road.

Situated in Skagit County, Washington.
PARCEL D:
An easement for road, travel and utility purposes over the following described parcel:
A 30-foot wide strip in the North Half of the South Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, being 15 feet on each side of the following described centerline:
Beginning at a point 15 feet West of the Northeast corner of said North Half; Thence South parallel to the East line of said North Half to a point 15 feet North of the South line of said North Half; Thence West parallel to said South line for a distance of 320 feet; Thence North parallel to the East line of said North Half to a point on the North line of said North Half.

Situated in Skagit County, Washington.
COUNTY APPROVALS
THE WITHIN AND FOREGOING SHORT PLAT IS APPROVED IN ACCORDANCE WITH THE PROVISIONS OF THE SKAGIT COUNTY SHORT PLAT ORDINANCE SCC 14.18.
DN THIS 18th DAY OF March, 2008
Planning and Development Services
County Engineer
Date March 4, 2009

THE WITHIN AND FOREGOING SHORT PLAT IS APPROVED IN ACCORDANCE WITH THE PROVISIONS OF THE SKAGIT COUNTY TITLE 12.05 (ON-SITE SEWAGE) & 12.48 (WATER) ON THIS 5th DAY OF March, 2009.
County Health Officer
Date March 09

NOTES

1. The short plat number and date of approval shall be included in all deeds and contracts.
2. A LOT OF RECORD CERTIFICATION HAS BEEN ISSUED FOR ALL LOTS INCLUDED IN THIS LAND DIVISION BY VIRTUE OF RECORDING THIS LAND DIVISION AND ISSUANCE OF THE LOT CERTIFICATION. ALL LOTS HEREIN SHALL BE CONSIDERED LOTS OF RECORD FOR CONVEYANCE AND DEVELOPMENT PURPOSES UNLESS OTHERWISE RESTRICTED. SEE AF. # 200903270122.

3. No building permit shall be issued for any residential and/or commercial structures which are not at the time application, determined to be within an official designated boundary of Skagit County Fire District.
4. Change in location of access, may necessitate change of address, contact Skagit County Planning & Development Services.
5. Water will be supplied by the City of Anacortes to both lots.
6. Zoning and Comprehensive Plan - Rural Reserve.
7. Area Calculations:
The total acreage for the entire parcel (2008 acres)
Lot 1 1008 acres
Lot 2 1000 acres

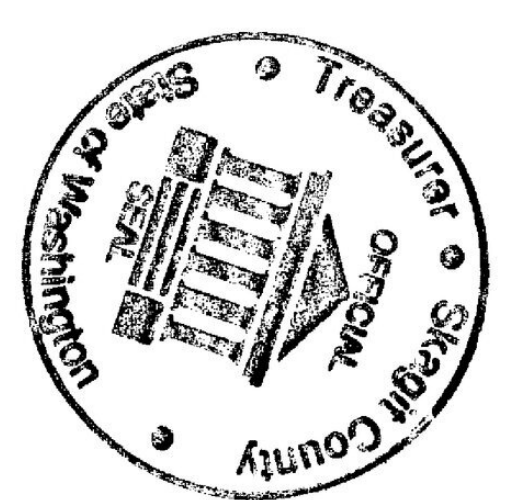
8. All private roads, easements, community utilities and properties shall be owned and maintained by separate corporate entity or the owners of property served by the facility and kept in good repair. The private 30' access and utility easement along the south property line of lot A serving lot B will be the sole maintenance responsibility of lot B. For any common road easements adequate provisions shall be made for appropriate pro-rata contributions for such maintenance by any future land divisions that will also use the same private road.
9. Sewage disposal will be on-site septic systems.
10. All runoff from impervious surfaces and roof drains shall be directed so as not to adversely affect adjacent properties.

11. A Skagit County address range will begin at 4502 and end at 4663 on Welch Lane for Lot B. Lot A will remain 4665 Welch Lane. At the time of application for building and/or access, Skagit County GIS will assign the address in accordance with the provisions of Skagit County Code 15.24.
12. This parcel lies within an area or within 500 feet of area designated as a natural resource lands (agricultural, forest and mineral resource lands of long-term commercial significance) in Skagit County. A variety of natural resource land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals or from spraying, pruning, harvesting, or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated natural resource lands, and area residents should be prepared to accept such incompatibilities, inconveniences, or discomfort from normal, necessary natural resource land operations when performed in compliance with best management practices and local, State, and Federal law. In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. In addition, greater setbacks than typical may be required from the resource area, consistent with SCC 14.16.810. Contact Skagit County Planning and Development Services for details.

TREASURERS CERTIFICATE

This is to certify that all taxes heretofore levied and which have become a lien upon the lands herein described have been fully paid and discharged according to the records of my office, up to and including the year of 2009.

This 23rd day of March, 2009
John Debus
Skagit County Treasurer



The JOHNSON Shortplat NE 1/4, SEC 35, T35N, RNG. 1, E.W.M.

NO.	BEARING	DISTANCE
S1	N 16°09'45" E	84.85'
S2	S 71°55'33" E	20.00'
S3	N 18°04'27" E	149.80'
S4	N 71°55'33" W	25.00'
S5	S 16°09'45" W	149.89'

QUARTER CORNER
FND CONCRETE
MIN 5-2-08

8' SETBACK

S 89°33'48" W 753.84'

S 89°33'48" W 1295.49'

FND REBAR &
CAP PLS 9669

10' WATER PRIVATE
EASEMENT AF#
20040810047

FIR CREST PLAT

FIR CREST BLVD

25

26

35

36

NORTHWEST CORNER SECTION 35
FOUND MONUMENT IN CASE

PCA BOUNDARY

NO.	BEARING	DISTANCE	NO.	BEARING	DISTANCE
L1	S 18°56'57" W	201.34'	L27	N 38°21'37" W	99.61'
L2	S 38°59'57" W	62.58'	L28	N 64°34'12" W	10.46'
L3	S 15°45'44" W	62.21'	L29	N 74°8'14" W	30.88'
L4	S 23°34'40" W	62.19'	L30	N 47°37'16" W	50.04'
L5	S 17°32'45" E	61.79'	L31	N 63°24'23" W	37.24'
L6	S 11°24'42" W	81.6'	L32	N 56°6'7" W	54.70'
L7	S 51°15'4" W	50.80'	L33	S 20°61'7" W	31.79'
L8	N 63°13'42" W	81.67'	L34	S 87°44'50" W	78.33'
L9	N 51°44'22" W	37.14'	L35	N 16°26'8" W	56.42'
L10	N 59°45'5" W	47.37'	L36	N 12°50'58" E	22.21'
L11	N 74°8'14" W	17.50'	L37	N 59°57'45" E	27.40'
L12	N 7°51'32" W	30.50'	L38	N 9°53'7" E	72.64'
L13	N 27°47'7" W	53.54'	L39	N 80°40'6" E	55.51'
L14	S 5°50'40" W	54.97'	L40	N 10°56'41" E	169.96'
L15	N 8°6'27" W	192.07'	L41	N 10°10'17" W	56.75'
L16	N 46°49'27" W	192.07'	L42	S 16°9'45" W	87.45'
L17	N 81°14'7" W	37.98'	L43	S 10°10'17" W	56.75'
L18	N 49°34'47" W	25.80'	L44	N 48°32'52" W	39.08'
L19	N 91°11'17" W	17.65'	L45	N 5°41'46" W	130.51'
L20	N 49°34'23" E	100.86'	L46	N 22°25'7" E	41.88'
L21	S 62°53'28" E	41.92'	L47	N 89°33'48" W	72.46'
L22	N 61°57'5" E	39.73'	L48	N 89°33'48" E	96.33'
L23	N 4°53'33" W	12.87'	L49	N 89°33'48" W	368.48'
L24	N 21°32'18" W	57.08'	L50	N 89°33'48" W	76.85'
L25	N 37°32'31" W	35.53'	L51	S 0°9'3" W	286.85'
L26	N 10°12'4" E	30.83'	L52	S 89°38'0" W	211.89'

WATER LINE EXTENDED
TO ACCESS EASEMENT

NOTES:-

1. SET RE-BAR AND YELLOW CAP P.L.S. #9669.
2. FOUND REBAR & CAP. PLS 8992.
3. FOUND MONUMENT CASE AND COVER.
4. BASIS OF BEARINGS: USED THE BEARING OF S89°33'48" W ALONG NORTH LINE OF SECTION 36, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M. PER SHORT PLAT NO. 98-081, AF # 941010067.
5. EQUIPMENT USED: PENITAX R-823N TOTAL STATION.
6. ERROR OF CLOSURE MEETS WASHINGTON STATE SURVEY STANDARDS.
7. SURVEY METHOD: STANDARD FIELD TRAVERSE.
8. ZONING: RURAL RESERVE

GENERAL INFORMATION

1. Assessor's Account No. 360136-1-006-0108, P32658.
2. Description and exception information is from Chicago Title Company, Order No. ICC41101, dated December 11, 2006.
3. This property is SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants and other instruments of record including but not limited to those instruments referred to in Chicago Title Company Report referenced under Note 2 above. Said report lists documents recorded under Auditor's File Numbers 860600, 8202230027, 630694, 200206120236, 200405100214, 200406240065, 200406300061, 200408110046, 200408110047 and 200408180096. Deeds of trust are recorded under Auditor's File Number 200408180204, 200604080063 and 200604080064.
4. A Variance has been granted to this property for a 40' ingress, egress & utility easement on Welch Lane and for a 50' ingress, egress & utility easement on parcel P32654.

SHORT PLAT NO. PL 06-1121

SHEET 2 OF 2

FOR: Richard & Diana Johnson
4665 Welch Lane
Anacortes, WA 98221

DWG.: J520

DWN BY: DKH

CHECK BY: CAC

DATE: Oct. 2008

SCALE: Noted

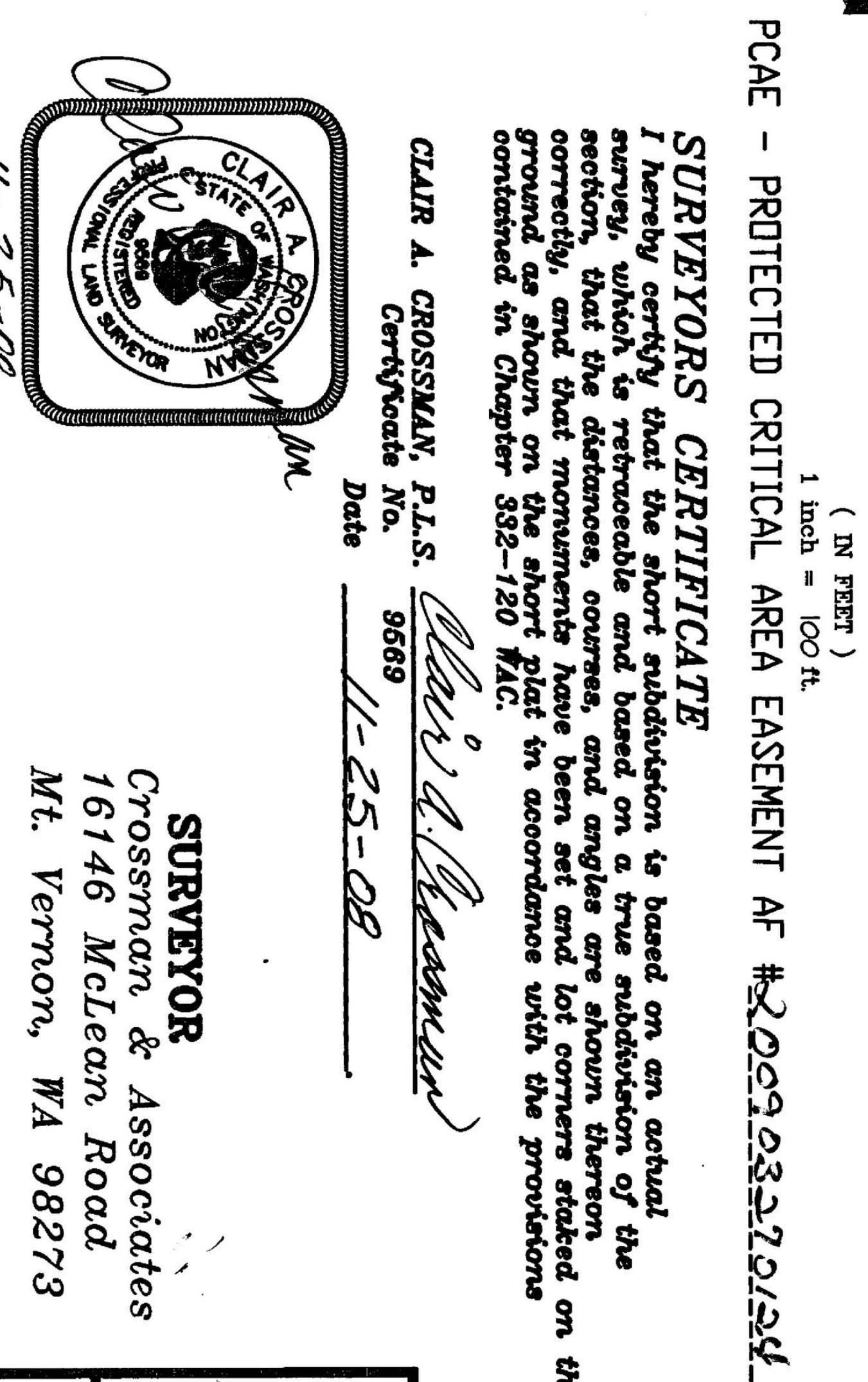
JOB NO.: 520

A PORTION OF THE NW 1/4 OF THE NE 1/4
OF SEC. 35, T35N, R35E, E.W.M.
FOR RICHARD AND DIANA JOHNSON

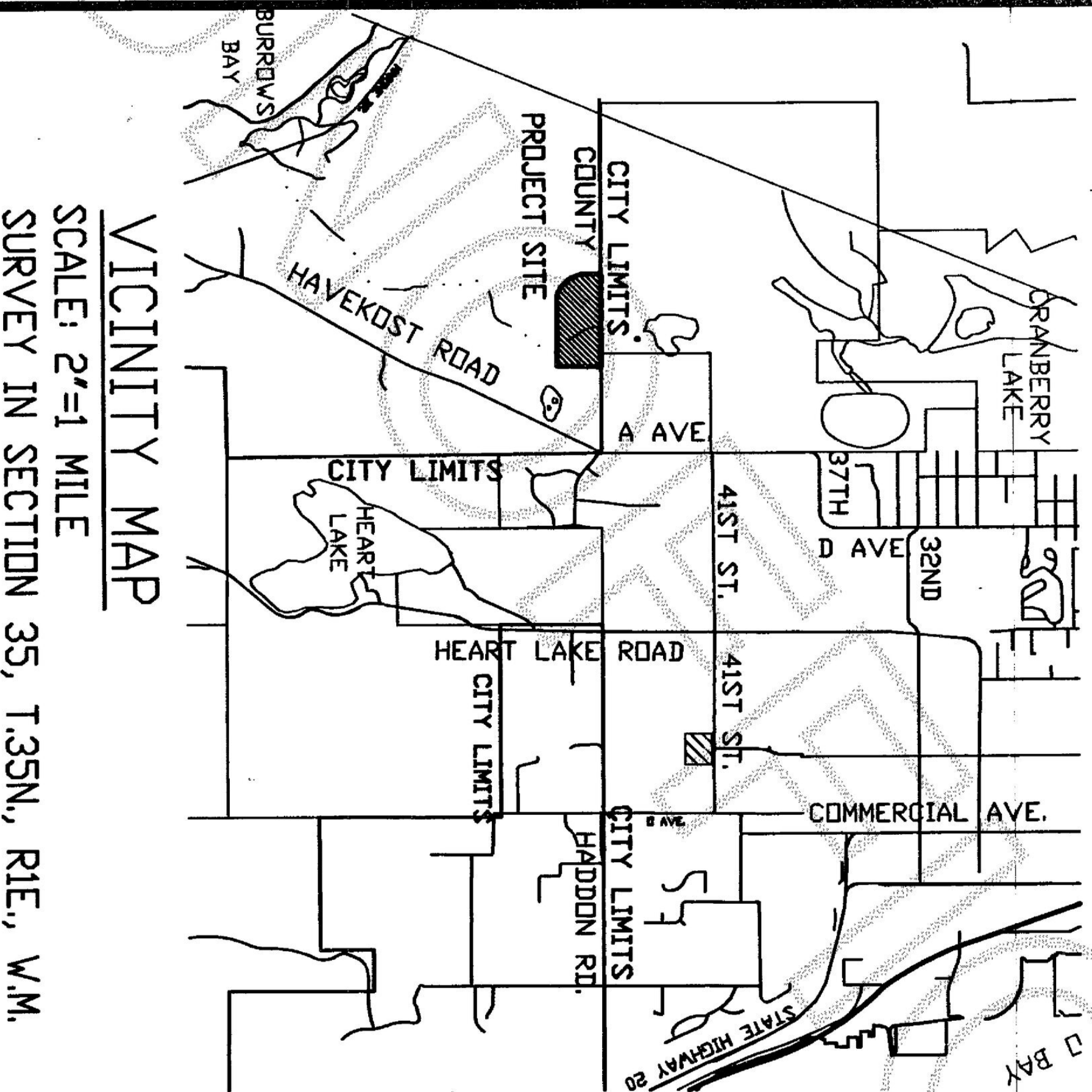
HERRIGSTAD ENGINEERING PS

4320 WHISTLE LAKE ROAD, ANACORTES, WA 98221 360-299-8804

SURVEYOR
Crossman & Associates
16146 McLean Road
Mt. Vernon, WA 98273



VICINITY MAP
SCALE: 2"=1 MILE
SURVEY IN SECTION 35, T35N, R1E, W.M.



Return to:

Richard & Diana Johnson
41665 Welch Lane
Anacortes, WA 98221



200406300061

Skagit County Auditor

6/30/2004 Page 1 of 2 10:09AM

PROTECTED CRITICAL AREA SITE PLAN

Page 1 of 2

Grantor/Owner: Richard & Diana Johnson

Grantee: PUBLIC

Site Address: 41665 Welch Lane

Property ID #: P 32553 Assessors Tax Account #: 550135.1.006.018

Legal Description: Sec. 35 Twp. 35 Rng. 1 / Plat Name _____ Lot _____

Permit/Activity #: BP04-0634

The PROTECTED CRITICAL AREA (PCA) is to be left undisturbed in its natural state. "With the exception of activities identified as Allowed without Standard review under SCC 14.24.100, any land-use activity that can impair the functions and values of critical areas or their buffers through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to, existing vegetation shall require critical areas review and written authorization pursuant to SCC 14.24." SCC 14.24.060 No clearing, grading, filling, logging or removal of woody material, building, construction or road construction of any kind, planting of non-native vegetation or grazing of livestock is allowed within the PCA areas except as specifically permitted by Skagit County on a case-by-case basis consistent with SCC 14.24.

Representations on this site plan may be approximations only and should not be used for purposes other than for determining general locations of critical areas. Development activities beyond the scope of this plan may require additional studies and approvals.

The above references to "Grantor" and "Grantee" shall not be construed as a transfer of property ownership and are used solely for filing with the County Auditor.

Owner: Diana M. Johnson

Date: 6-30-04

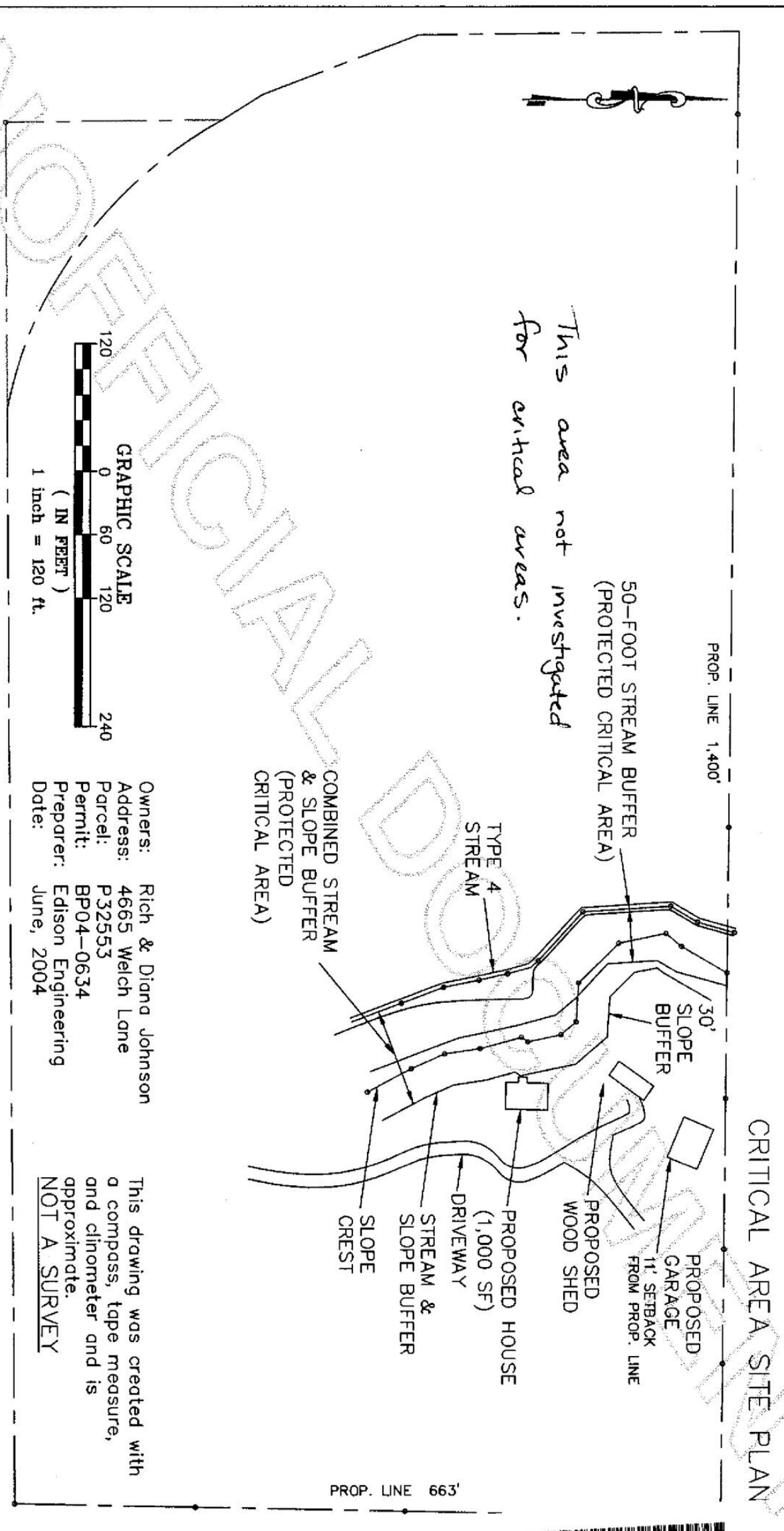
On this day personally appeared before me Diana M. Johnson, known to be the individual described herein and acknowledged to me that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

residing at Anacortes, WA 98221

Date: 6-30-04

CATHY J. BAY-SCHMITH
STATE OF WASHINGTON
NOTARY - PUBLIC
MY COMMISSION EXPIRES 11-28-07

CAD Approved 6/25/04 Leah Fisher



Owners: Rich & Diana Johnson
Address: 4665 Welch Lane
Parcel: P32553
Permit: BP04-0634
Preparer: Edison Engineering
Date: June, 2004

PROP. LINE 1,028'

This drawing was created with
a compass, tape measure,
and clinometer and is
approximate.
NOT A SURVEY

CRITICAL AREA SITE PLAN



200406300061
Skagit County Auditor

Return Name & Address:

Skagit County Auditor

3/27/2009 Page

1 of

1 2:04PM

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

PLAT LOT OF RECORD CERTIFICATION

File Number: PL06-1121

Applicant Name: Richard & Diana Johnson

Property Owner Name: Richard & Diana Johnson

The Department hereby finds that Lots 1 & 2 of Short Plat PL06-1121 recorded on

March 27, 2009 under AF# 200903270122

Parcel Number: P32553

Ptn NW ¼ of the NE ¼ of Sec. 35, Twn 35 N, Rge 1 E. W.M.

1. CONVEYANCE

- ☒ **ARE** Lots of Record as defined in Skagit County Code (SCC) 14.04.020 and therefore **ARE** eligible for conveyance.

2. DEVELOPMENT

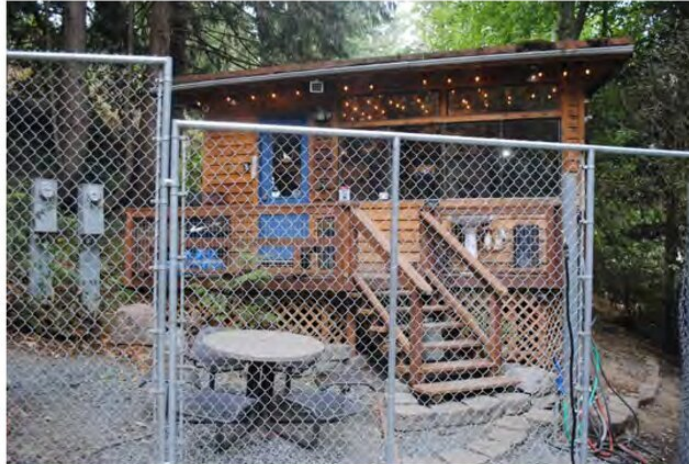
- ☒ **ARE**, the minimum lot size required for the Rural Reserve zoning district in which the lots are located and therefore **ARE** eligible to be considered for development permits.
- ☐ **IS/ARE NOT**, the minimum lot size required for the _____ zoning district in which the lot(s) is/are located, but does meet an exemption listed in SCC 14.16.850(4)(c) _____ and therefore **IS/ARE** eligible to be considered for development permits.

Authorized Signature: _____

Date: 3/27/09

1. If your operation will use a building please describe the size, height and construction type. This building must be

- 12x12 Gift Shop which was permitted by Skagit county. The retail building is the only permanently installed improvement that is recognized by the Skagit County assessor. It has 220 square feet and is secured to a post and beam foundation. It was constructed in 2017 under a building permit and is attached to a semi-truck trailer and a steel cargo shipping container which are both parked side-by-side.
- shown on the site plan.



D. Describe in detail how the animals are kept: Types and location of enclosures, fencing (length, height, location, etc.), amount of area required for each (i.e., square footage, acreage?) and what amount of area is currently provided for each.

ALL ENCLOSURES ARE UNDER LOCK AND KEY PADLOCK SYSTEM. Each animal caging requirement is different depending on species, but is in full compliance with USDA regulations as well as animal control and DFW guidelines -All small mammals have 6 sided enclosures. This means bottom of enclosures are lined with a wire mesh or chain-link and they are topped. All small mammal enclosures have a 6' with tilt in perimeter fence that with at least a 3' walkway in between enclosure and perimeter per USDA requirements.



-All wolf enclosures are at least 6'-8' high. Our post and stretch fencing is 6' and our chain-link panel are 8' high with electric wire running top and middle and bottom. Wolves in our bottom part of our compound have 6' fencing with a 6' perimeter fence with 1.5' tilt ins. Wolves in bigger 1-2-acre runs are 6' high with 1' tilt in's and a 3-strand hot fence system 8-9 volt. Wolves are put away into night runs when staff is unavailable to supervise in bigger runs. All night runs are 24'x24'x8' with cattle panel bottoms, chain-link tops with solid roof tops. All night runs placed within the acer runs act as permitter fence for night runs. Both permitter doors and cage doors are locked with padlocks. This is more than is required by the USDA.



-3 cougar enclosures and 1 bobcat enclosure are 24'x36' each. They all have chain-link roof. Per USDA guidelines all cat enclosures must have a covered walkway /perimeter fence. All cats have a 3' walkway all the way around

enclosures that is topped. It also includes an additional 6' with tilt in perimeter fence for extra safety.



-Bird flights are chain-link and topped. No dig outs are required for these enclosures.



- South American Trailer- Sloths, armadillo, kinkajous and tortoises are kept in a 40' mortified insulated container. This ensures that temperatures remain over 80 degrees as each animal housed in this facility requires that temperament for survival.



- Reptile house. Reptile house is another 40' refer unit and contains wooden enclosures with glass fronts and consist of all sizes to accommodate species of snakes or lizards. Reptile house temperature is always set at 82 degrees. The main heat source is propane furnaces. Some reptiles require UVB lighting and cages are set up to accommodate the special lights needed.




EXHIBIT B

[Seattle, United States](#) > [Nature and outdoors](#) > [Animals](#) > [Animal habitat](#) > [Wildlife](#)

Howling with Ambassadors

★ 4.97 (4201) · [Anacortes, Washington, United States](#)


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Experience hosted by Ashley

2 hours · Hosted in English



 **Fun for couples**
Something to try together.

 **Once-in-a-lifetime**
Guests say it's special and unique.

 **Top-rated Host**
Ashley's rated 5 stars by 97% of guests.

What you'll do

THIS EXPERIENCE IS FOR 18 YEARS OR OLDER ONLY; NO EXCEPTIONS.

Meet some of our wolf dog ambassadors while visiting the

Pacific Northwest! Just 1.5 hours North of Seattle, our wildlife refuge is nestled in 10 forested acres. We will introduce you to our mission and history with wolves and other exotic animals. Come enjoy Max and Kakoa, in their new 1/4 acre enclosure. Old-growth trees tower overhead; the wolf dogs will lead you around their new open run, while our guide talks about wolves' habitat, behavior, & the myths and misconceptions surrounding this apex predator. Our new photo area will allow us to pause for photos and rest with the wolves. When we return to the refuge, you will see a few more beautiful animals, including sloths, cougars, foxes, and more! You will be able to touch, photograph and even howl with wolf dogs in this once-in-a-lifetime setting!

Other things to note

Please dress appropriately: jeans, close-toed tennis shoes, NO leather, furry, feathery, down, (including lining) puffy, free flowing shirts, cardigans or dangly jewelry. NO OTHER animals are allowed on premise.

What's included



Drinks

We offer you beverages and snacks to enjoy through the tour.



Equipment

Bring your cameras to capture your incredible memories with these amazing a...

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From \$200 / person

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DATES

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dates

GUESTS

1 
guest

Thu, Jul 7

10:00 AM - 12:00 PM

Join 4 other guests

\$200 / person

[Choose](#)

Thu, Jul 7

1:30 PM - 3:30 PM

Join 4 other guests

\$200 / person

[Choose](#)

Tue, Jul 12

10:00 AM - 12:00 PM

Join 5 other guests

\$200 / person

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Meet your Host, Ashley

Host on Airbnb since 2017

★ 4,201 Reviews

✓ Identity verified

Ashley started with Predators of the Heart in 1998. Traveling with her father Dave from age 12 to 17. She had to switch to booking all of his programs from 17-29 years old. Ashley arranged accommodations, pricing, made cold calls to schools, churches and fairs, handled all correspondence only being able to travel on occasion. She got married at 20 years old, Ashley and her husband Aaron donated countless hours helping build enclosures, bottle feeding wolf pups, feed animals while Dave was on the road she helped in raising and caring for many animals. But her passion is having the opportunity to teach hundreds of people about how every animals plays a vital role in the web of life.

Contact host

To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)



About the organization: Predators of the Heart

🚫 Social impact

Predators of the Heart sanctuary is dedicated to wildlife education and conservation. Many of our animals are rescued from the exotic pet trade, abandoned, or needed a forever home to live peacefully. We are also home to 26 wolf dogs here in the Pacific Northwest. Our conservation has worked with other sanctuaries and has been successful all across the country

This is a social impact experience where 100% of what you pay for this experience goes to Predators of the Heart.

[Learn more](#)

Where you'll be

Anacortes, WA

1.5 hours north of Seattle, Predators of the Heart wildlife sanctuary is on 10 beautiful forested acres.

Hiking, Puget Sound views, ferries to the San Juans, dining and galleries all 5-10 minutes away!

www.predatorsoftheheart.com

★ 4.97 (4,201 reviews)

London

Jordan

July 2022

If you're looking for a fun and unique experience, this is for you! It was clear that the animals were well loved, which made the experience even better.

Carrie

July 2022

We had a fantastic adventure with the wolves! Hearing them howl as a pack and getting to take pictures with the wolves was a once in a lifetime experience.

Juthika

July 2022

This was truly a magical experience. All the wolf dogs were such gentle souls. Ashley was so kind and informative and the whole team were focused on safety and making sure we are educated about the conservation of all the animals there. We also saw a cougar, a vulture, some very...

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Libby

June 2022

Highly informative experience. It was obvious how caring the people were who looked after the animals - highly enthusiastic! Of course the highlight of the tour was the wolves which was an incredible experience!

[Show more](#) >

Carol

June 2022

Wonderful place. I was not expecting to have as much contact as we did with the wolves. It was amazing. I really enjoyed my time there.

Stephanie

June 2022

Experience was great! Staff was fantastic in their knowledge and care of all the animals onsite in addition to expertly introducing us to the juvenile and adult wolves. Looking forward to the

renovations and continued expansion of the current space for all of the inhabitants, would definitel...

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91 available

1 / 2



Thu, Jul 7

10:00 AM -
12:00 PM

Join 4 other
guests

\$200
/ person

Choose

Thu, Jul 7

1:30 PM - 3:30
PM

Join 4 other
guests

\$200
/ person

Choose

Tue, Jul 12

10:00 AM -
12:00 PM

Join 5 other
guests

\$200
/ person

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Tue, Jul 12

1:30 PM - 3:30
PM

This time is
popular

\$200
/ person

Choose

Thu, Jul 14

10:00 AM -
12:00 PM

**Book for a
private
group**

\$200
/ person

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Things to know

Guest requirements

 Guests ages 18 and up can attend, up to 10 guests total.

 All participants must wear a protective face covering and practice social distancing.

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Cancellation policy

Cancel up to 24 hours before the start time for a full refund.

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EXHIBIT C



Stephanie

January 2018

Unfortunately, my experience at Predators of the Heart was not a positive one. While the animals were beautiful, and the vast majority were gentle and sweet, I had a bad experience with one of the wolf puppies that was not handled well by the owners. I wrote the following letter detailing my experience, which I never received a response for after 1.5 weeks:

"I visited your wolf sanctuary on January 6, 2018, through AirBnB Experiences and feel it was not the experience that was advertised or promised. When we first went hiking with the wolves (Max, Kakoa, and Willow), the young wolf, Willow, singled me out and started sniffing and biting at my ankles. She then proceeded to bite me and actually drew blood. At this point I was frightened, wasn't given instructions on how to prevent this from happening, and no longer wanted to be part of the group. The group leaders did not seem particularly concerned about me, which I would understand if this was a common occurrence and no big deal, but the severity of the situation just wasn't explained to me. I eventually tentatively rejoined the group, but when we went into the puppies' cage, I was bitten by Willow for a second time as soon as we entered. My boyfriend had to be the one to block Willow from getting to me as he and I left the cage, which meant having to miss out on a big part of the experience we paid for...

[Show more >](#)

EXHIBIT D

May 6, 2022

David A. Perez
DPerez@perkinscoie.com
D. +1.206.359.6767
F. +1.206.359.7767

VIA HAND DELIVERY

Kevin Cricchio
Senior Planner
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon WA 98273

Re: Written Comment Opposing Special Use Permit Application, Parcel #P128398

Dear Mr. Cricchio:

We are counsel to the following members of the Welch Lane community and neighbors of the subject property, 4709 Welch Lane (the "Property"): Kevin and Jenny Welch, Edward and Lynne Borlin, David and Pamela Knutsen, Nolan and Millicent Berlin, Maren Mansfield, and Chris Harris. On behalf of our clients, we write to oppose the Special Use Permit application for Parcel No. P128398, dated March 23, 2022 (the "Application").

The Application disregards and, in some instances, misrepresents, the serious safety and public health threats posed by the large collection of dangerous animals housed in close vicinity to residential properties. Indeed, since Predators of the Heart ("Predators") has been located at the Property, residents of the Welch Lane community and visitors to the Anacortes Community Forest Lands have faced threats to their safety and well-being resulting from the numerous escapes of wild, dangerous animals (and related killings of family pets), as well as unreasonable levels of noise from Predators' facility. Nor does the Application acknowledge Predators' numerous violations of County and State law (and related *per se* public nuisances), stemming from the housing, breeding, and escape of wild, dangerous animals.

Pursuant to SCC 14.16.900(1)(b)(v), Predators must satisfy certain criteria to secure a Special Use Permit. Because Predators wholly fails to satisfy the vast majority of these criteria, **the Application should be denied.**

- a) A wild animal “sanctuary” is incompatible with the neighboring properties because it poses a significant threat to the safety and health of the Welch Lane community.

Predators must show that its proposed use “will be compatible with existing and planned land use,” “will not cause potential adverse effects on the general public health, safety, and welfare,” and “is not in conflict with the health and safety of the community.” SCC 14.16.900(1)(b)(v)(A), (E), (G). Predators falls far short of satisfying its burden on any of these factors. SCC 14.16.900(1)(b)(v) (“The burden of proof shall be on the applicant to provide evidence in support of the application.”).

The properties surrounding the Property are residential homes inhabited by families, including children and pets. **Wild, dangerous animals—including several cougars, two dozen wolves or wolf hybrids,¹ alligators, and venomous snakes—are wholly incompatible with the needs and priorities of family homes.** See Application at 11 (listing the animals currently housed on the Property, including “3 cougars, . . . 24 wolfdogs, . . . 5 alligators, . . . [and] 1 rattle snake”). The Welch Lane community has not been, and will not be, safe while Predators is allowed to house wild, dangerous animals in close proximity to families.

Perhaps recognizing the significant safety issues, the Application makes egregious misrepresentations concerning past issues at the Property, including animal escapes resulting in law enforcement and legal action. Predators asserts, for example, that it has “had only one escape” since 2001. **That is blatantly false.** A post from December 2017 on the City of Anacortes website describes two escapes: one in February 2012 and another in October 2017.² A *Skagit Valley Herald* article from October 2021 describes yet another escape, this time involving three wolves that “attacked and killed a neighbor’s dog.”³

¹ Although the Application sometimes describes Predators’ animals as “wolfdogs,” it also frequently describes them as “wolves.” Compare Application at 11 (“24 wolfdogs”), with Application at 3 (“our wolves”). It is unclear what percentage of Predators’ animals are indeed full wolves.

² *Warning Signs in Anacortes Community Forest Lands*, City of Anacortes (Dec. 26, 2017), <https://cityofanacortes.org/CivicAlerts.aspx?AID=79&ARC=892> (enclosed as Exhibit A).

³ Jacqueline Allison, *Anacortes Community Forest Lands Trails Back Open after Wolves Captured*, *Skagit Valley Herald* (Oct. 19, 2021), https://www.goskagit.com/news/local_news/anacortes-community-forest-lands-trails-back-open-after-wolves-captured/article_938b8d04-7d45-5701-a319-687d1e6d67e2.html (enclosed as Exhibit B).

The 2012 escape resulted in the destruction of a City of Anacortes Animal Control vehicle, after Animal Control had to capture the wolf hybrid and “wait[] for Coleburn to arrive.” Decl. of Marie Padovan at 11, *Skagit County v. Coleburn*, No. 15-2-00509-2 (2015) (enclosed as Exhibit C; also describing how Mr. Coleburn had called Animal Control and told them he was looking for his “white female German Shepherd Mix”). And these are only the escapes of which law enforcement was made aware. One of our clients has seen wolves running loose on adjacent properties and in the Anacortes Community Forest on at least five separate occasions.

Nor does Predators’ proposal indicate that past safety issues will be remedied. Despite the pattern of escapes, Predators’ Prevention Safety Protocols does not require employees to notify neighbors *or law enforcement* of the escape of a dangerous animal. Instead, the Application indicates that escapes should be reported to a “Tier 1 [Predators] employee,” who should then notify law enforcement only if the animal has left the Property. Application at 25. The only “Tier 1” employees are Ashley Carr (the president of Predators) and Daniel Overman (the vice president). Application at 28. Neither appears to have any education or formal training in wildlife management or dangerous animals, and the Safety Protocols allow someone to be classified as “Tier 1” with just 5 years of “on the job experience.” Application at 22. There is also no indication that either of these individuals will always be on the Property to respond to escapes.

Predators also seems to acknowledge the likelihood these dangerous animals will escape. Notably, the Application asserts that “escapes are not possible in the evening or morning hours when staff are not on-site. But it does not say the same about the daytime hours, and Predators admits that “escape is a possibility.” Application at 8, 22. Only compounding these issues, Predators exhibits a concerning lack of ownership over the one escape they *do* admit to—asserting it was “instigated by a leashless dog.” Application at 3. If the presence of a “leashless dog” can cause the escape of a dangerous wolf in a residential neighborhood, Predators is clearly ill-equipped to be housing dozens of wild, dangerous animals in close proximity to families, including children.

Predators’ falsifications, standing alone, warrant denying the Application. But even setting aside those misrepresentations, the numerous escapes, lack of accountability, and serious threats to the public’s safety and welfare are clear grounds for denying the Application. SCC 14.16.900(1)(b)(v)(A), (E), (G). **Neighbors’ pets have been killed as a result of escapes and it is only a matter of time before a human is killed or seriously injured.**

b) The proposed use violates the Skagit County Code.

Nor can Predators establish that “[t]he proposed use complies with the Skagit County Code.” SCC 14.16.900(1)(b)(v)(B). **To the contrary, Predators’ operation violates numerous County and State laws and regulations.** For example, under SCC 7.04.030, “[a] person may not own, possess, keep, harbor, bring into the County, or have custody of control of any potentially dangerous wild animal.” SCC 7.04.030(1); *see also* RCW 16.30.030(1) (substantially the same prohibitions). Potentially dangerous wild animals include wolf hybrids and cougars, SCC 7.04.010, as well as rattlesnakes, alligators, and caimans. RCW 16.30.010(2). Although there are exceptions to those prohibitions, none apply to Predators. *See* SCC 7.04.020; RCW 16.30.020.

First, the exception for nonprofit organizations housing animals at the request of the animal control authority is clearly inapplicable. *See* SCC 7.04.020; RCW 16.30.020(1)(c). The exception covers “humane societies and shelters,” which Predators does not (and could not) purport to be. *Id.* Humane societies and animal shelters do not breed animals or offer paid tours to the public; their primary purpose is to rescue and rehome unhoused animals. Although the Application asserts, without any supporting evidence, that Predators has received a handful of animals (unwanted birds, an alligator, and a bobcat) from animal control, that is plainly secondary to its \$200-per-person “Wolf Encounters.” In all events, the exception applies only to the animals housed at the request of animal control, a limitation which Predators has not (because it cannot) establish applies to the vast majority of its animals. Indeed, Predators admits that “*none* of the wolves housed by [Predators] are rescues. They are all bred for the purpose of wildlife education, and, from a very early age, are exposed to humans to be ‘ambassador’ wolves.” Application at 4 (emphasis added).

Second, the exception for persons displaying animals at a fair under RCW 16.30.020(1)(l) does not apply to Predators on the 362 days a year that it does not show its animals at a fair. *See* SCC 7.04.020 (incorporating fair exception into the County code). Predators asserts that it completes “at least one State fair yearly to comply” with this exception. Application at 11. But the statute does not reference, as POTH suggests, a person owning an animal that he or she occasionally displays at a fair.” Rather, it refers to a “person *displaying* animals at a fair,” in the present tense. RCW 16.30.020(1)(l) (emphasis added). It applies only to an individual actively displaying an animal at such an event, which, by Predators’ own admission, it only does for 2-3 days per year. The Legislature did not intend to allow an organization or individual to house dozens of wild, dangerous animals on a year-round basis so long as they

show animals at a state fair a few times per year.⁴ See *City of Yakima v. Godoy*, 174 Wn. App. 1071, *published with modifications at* 175 Wash. App. 233, 305 P.3d 1100 (2013) (“We . . . cannot read a statute in a way that renders unlikely, absurd, or strained results.”).

Third, Predators is not a wildlife sanctuary under RCW 16.30.010(5).⁵ See SCC 7.04.020 (incorporating sanctuary exception into the County code). A wildlife sanctuary is a nonprofit organization that cares for animals defined as potential dangerous but does not conduct any “activity that is not inherent to the animal’s nature,” “commercial activity involving an animal,” “direct contact between the public and an animal,” or “breed of animals.” RCW 16.30.010(5). As evident in the Application, in which Predators admits to breeding wolves, and on Predators’ Airbnb site, which features photos of the paying public interacting directly with the animals, all of these prohibited activities are fundamental to Predators’ business model. Predators is not “qualified sanctuary” under County or State law. Application at 4.

In addition to the above violations, **Predators also has violated, and continues to violate various state laws.** For example, Washington law provides, without exception, that a “person *shall not breed a potentially dangerous wild animal.*” RCW 16.30.030(2)(a)-(b) (emphasis added). Yet Predators admits that it is breeding wolves and cougars on the Property. Application at 3 (“Our wolves are bred”); Compl. at 2, *Skagit County v. Coleburn*, No. 15-2-00509-2 (2015) (enclosed as Exhibit D; describing one of Predators’ cougars as “captive bred”).

And this and other violations separately constitute *per se* public nuisances. See *Kitsap Cnty. v. Kitsap Rifle & Revolver Club*, 184 Wn. App. 252, 277, 337 P.3d 328 (2014) (defining a *per se* public nuisance as “an activity that is not permissible under any circumstances, such as an activity forbidden by statute or ordinance” (emphasis added)); see, e.g., RCW 16.30.010, .030(1) (barring possession of potentially dangerous wild animals, including wolves, tigers, alligators, and various venomous snakes); SCC 7.04.030, .060 (same, and deeming violations a public nuisance); RCW 16.30.030(2) (prohibiting the breeding of potentially dangerous wild animals); WAC 220-450-030(11)(a) (deeming escaped wildlife a public nuisance); RCW 7.48.140, (1) (deeming

⁴ Predators does not specify what it means by “completes one State fair,” including how many animals it takes to these fairs, if any, or if any of those animals are even the potentially dangerous types prohibited under the law.

⁵ Although the Application does not reference this exception, Predators has attempted to do so in the past. See, e.g., Mot. for Summ. J. at 2, *Skagit County v. Coleburn*, No. 15-2-00509-2 (2015) (enclosed as Exhibit E).

deposited animal carcasses a public nuisance); WAC 173-60-040 (setting forth impermissible noise levels); SCC 9.50.040 (same).

In sum, Predators' actions are in flagrant violation of both County and State law. The Application should therefore be denied. *See* SCC 14.16.900(1)(b)(v)(B).

c) Predators already creates and will continue to create undue noise and odor for the surrounding dwelling units.

The proposed use must “not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.” SCC 14.16.900(1)(b)(v)(C). In response, Predators asserts that “there have been no noise, odor, heat, vibration, air or water pollution complaints” since 2001. Application at 7. *That is wholly untrue.* Not only have there been unofficial complaints, but Predators was sued by this County in 2015 for violating Washington and Skagit County law. *See* Compl., *Skagit County v. Coleburn*, No. 15-2-00509-2 (2015) (enclosed as Exhibit D; seeking civil damages, injunctive relief, and permission to seize the animals).

In its court papers, the County explained that “[n]eighbors have found pieces of raw meat and processed lunchmeats lying around the neighborhood,” citing declarations from residents of the Welch Lane community. Mot. for Summ. J. at 8, *Skagit County v. Coleburn*, No. 15-2-00509-2 (2015) (enclosed as Exhibit E). Citing those same declarations, the County also described “[t]he noises from the wolves, cougars, and scavenging birds [as] neighborhood irritants.” *Id.* At the time of the 2015 lawsuit, Predators housed fewer than 20 “wolves and/or wolf hybrids” on the Property—according to the Application, there are now 24 “wolfdogs.” *See* Compl. at 3; Application at 11. The disturbances have undoubtedly increased with Predators' growing animal population.

The odor from spoiled, discarded raw meat and the howls and screeches of wolves and cougars (far from “exceedingly quiet,” Application at 6), have created, and/or continue to create, significant disturbance for the residents of the Welch Lane area. **Contrary to Predators' representations, neighbors have complained on multiple occasions to Predators' staff and County officials about these ongoing concerns.** Even setting aside Predators' striking omissions (in particular, the filing of lawsuit by the County over the very issues covered by the Application), the “undue noise” in particular unreasonably interferes with neighbors' enjoyment of their land. *See* RCW 7.48.130 (“A public nuisance is one which affects the rights of an entire community or neighborhood, although the extent of the damage may be unequal.”); *see also, e.g.,*

Kitsap Cnty. v. Kitsap Rifle & Revolver Club, 184 Wn. App. 252, 279, 337 P.3d 328 (2014) (holding that shooting activities constituted a public nuisance in fact based on noise and safety issues).

d) Predators and its frequent paid tours generate and will continue to generate intrusions on the privacy of surrounding uses.

The proposed use will also “generate intrusions on privacy of surrounding uses,” in violation of SCC 14.16.900(1)(b)(v)(D). Predators sells “Wolf Encounters” through Airbnb for \$200 per person.⁶ These tours run six days a week, multiple times per day, and can include up to ten guests per tour. The traffic from these tours causes undue stress on a rural road, bringing carloads of tourists into a rural residential area, adjacent to undeveloped forestland. The unreasonable intrusion on the residents’ privacy is evident from the convoluted directions Predators provides to its customers and outlines in the Application. *See* Application at 9 (describing neighbor’s “beautiful gate,” and instructing customers “PLEASE DO NOT RING THE BELL ON THIS GATE!!!”). This instruction likely stems from the ongoing issue of individuals coming onto neighbors’ property looking for Predators, something that occurs several times per week.

Given the nature of the rural road and community, Welch Lane is not well-suited to directing commercial traffic, resulting in repeated trespasses on residents’ private property. *See* SCC 14.16.900(1)(b)(v)(D).

* * * *

Numerous assertions in the Application are false, or at least highly misleading. Predators’ request for a special use permit should be rejected on that ground alone. Regardless, Predators has not satisfied its burden under SCC 14.16.900(1)(b)(v). Predators houses and breeds dozens of dangerous, wild animals in a residential neighborhood in violation of various County and State laws. Housing those animals, particularly in light of the pattern of wolf escapes, **poses a serious safety risk to our clients, other members of the Welch Lane neighborhood, and visitors to the neighboring forestland.** The County should deny Predators’ Application.

⁶ Airbnb, *Howling with Ambassadors*, available at <https://www.airbnb.com/experiences/47240>.

May 6, 2022
Page 8

Sincerely,

A handwritten signature in black ink, appearing to read 'D. A. Perez', with a stylized, cursive flourish at the end.

David A. Perez

Enclosures

cc: Alison R. Caditz, Perkins Coie LLP
Hannah Parman, Perkins Coie LLP
Kevin & Jenny Welch
Edward & Lynne Borlin
David & Pamela Knutsen
Nolan & Millicent Berlin
Maren Mansfield & Chris Harris

EXHIBIT E

[News Flash Home](#)

The original item was published from 12/26/2017 3:37:33 PM to 1/3/2020 2:29:17 PM.

What's Happening in Parks & Recreation

Posted on: December 26, 2017

[ARCHIVED] Warning signs in Anacortes Community Forest Lands

FOR IMMEDIATE RELEASE

December 26, 2017 - Anacortes, WA - The City of Anacortes has posted Warning signs on four trails in the Community Forest Lands to alert trail users that there is a wild animal refuge in unincorporated Skagit County. The trails with the signs are in the southern end of the Little Cranberry area. According to two police reports, in February 2012, a wolf from the refuge was captured in the ACFL. In October of 2017, a wolf escaped an enclosure and went on to private land adjacent to the animal refuge.

The signs read as follows:

Warning. There is a wild animal refuge in unincorporated Skagit County adjacent to the Anacortes Community Forest Lands. In the past, wolves have escaped their enclosure on to neighboring properties and the ACFL. Please stay on ACFL trails and use caution when walking with children and dogs. If you encounter a threatening situation call 911 immediately. Call ACFL staff at 360-299-1953 with questions.

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Select Language ▼

Jonn Lunsford

Parks and Recreation

jonn1@cityofanacortes.org

360-299-1953

P.O. Box 547

Anacortes, WA 98221

Other News in What's Happening in Parks & Recreation



Lake Closure

Posted on: July 1, 2022

Housing Survey for the City of Anacortes

Posted on: June 27, 2022



Grand View Cemetery

Posted on: June 23, 2022

Never miss an update! Sign up to stay connected

Posted on: January 5, 2022



eBikes in the ACFL-comments received by 2/24

Posted on: February 28, 2022

E-bikes in the ACFL-February 23rd Update

Posted on: February 25, 2022

E-bikes in the ACFL-New Comments 02/09/2022

Posted on: February 10, 2022

E-bikes in the ACFL-February 2nd Update

Posted on: February 2, 2022

E-bikes in the ACFL-January 26th Update

Posted on: January 26, 2022

E-bikes in the ACFL-New comments

Posted on: January 19, 2022

Select Language ▼

E-bikes in the ACFL

Posted on: January 14, 2022

EXHIBIT F

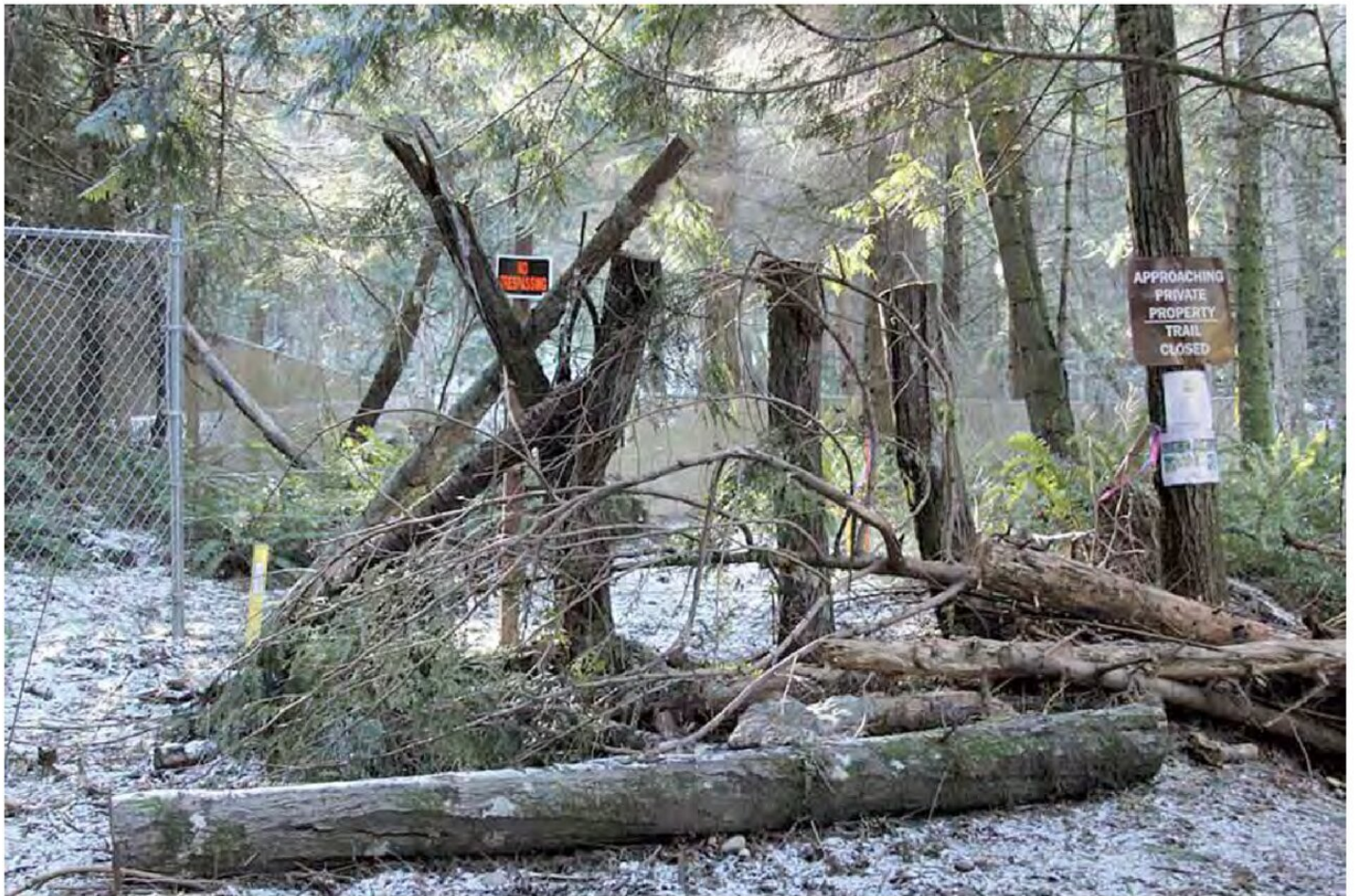
https://www.goskagit.com/news/local_news/anacortes-community-forest-lands-trails-back-open-after-wolves-captured/article_938b8d04-7d45-5701-a319-687d1e6d67e2.html

Anacortes Community Forest Lands trails back open after wolves captured

By JACQUELINE SWALLISON

Oct 19, 2021





In this February 2018 photo, the city of Anacortes had signs posted and a natural barrier constructed where city trails meet Predators of the Heart property.

Skagit Publishing

**UDPATED, 3 p.m.*

The Anacortes Community Forest Lands trails reopened on early Tuesday afternoon after three wolves that had escaped their enclosure at a neighboring wildlife refuge were captured.

While on the loose, the wolf-dog hybrids attacked and killed a neighbor's dog, the Skagit County Sheriff's Office said in a Tuesday afternoon news release.

No people were injured.

The Sheriff's Office Animal Control unit located the wolves and returned them to their facility, the news release states. Chief Criminal Deputy Tobin Meyer said the wolves were on the loose for less than 30 minutes before they were captured by Animal Control.

The wildlife sanctuary, called Predators of the Heart, abuts the Little Cranberry Lake area of the community forest lands.

The sheriff's office, which has jurisdiction over the wildlife refuge property, alerted the city of Anacortes to the wolves' escape on Tuesday morning. As a precaution, the city temporarily closed forest land trails until the wolves were contained.

Predators of the Heart did not immediately respond to request for comment on Tuesday.

In September 2017, two leashed wolves broke away and killed the dog of a hiker in the Little Cranberry Lake area who had mistakenly walked onto wildlife refuge property, the Anacortes American reported in February 2018.

The incident prompted the city to install signs and try to clarify the trail boundary between the forest lands and the wildlife refuge property.



In October 2017, a wolf jumped a 7-foot electric fence and went onto a neighbor's property, according to sheriff's office reports. In 2012, a wolf escaped its enclosure and was captured in the forest lands.

Predators of the Heart, a registered nonprofit, houses exotic animals including wolves, cougars, bobcats, birds of prey and other species on 10 acres, and aims to educate the public about wildlife, according to its website.

The nonprofit offers a popular Airbnb experience that invites guests to meet its "wolf ambassadors" and other animals.

El Dorado County again is suing Predators of the Heart for failing to comply with a 2014 ordinance regulating potentially dangerous animals. The county filed a lawsuit in court after the nonprofit refused to permit the exhibition of potentially dangerous wild animals at state fairs.

— Reporter Jacqueline Allison: jallison@2145publshing.com or jacqueline_SVH

Jacqueline Allison



EXHIBIT G

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA
2015 APR -9 PM 1:39

IN THE SUPERIOR COURT
FOR SKAGIT COUNTY, WASHINGTON

15 2 00509 2

SKAGIT COUNTY, a municipal corporation
of the State of Washington,

Plaintiff,

vs.

WILLIAM COLEBURN, DENISE
COLEBURN, husband and wife, and
PREDATORS OF THE HEART, a
Washington non-profit Corporation,

Defendants.

NO.

COMPLAINT FOR INJUNCTIVE RELIEF,
TO ABATE A NUISANCE, AND TO
IMPOSE A CIVIL PENALTY

COMES NOW the plaintiff, Skagit County, and for its causes of action alleges as
follows:

I. JURISDICTION AND VENUE

1.1. This is an action for injunctive relief, to abate a nuisance, and to impose a civil
penalty. The court has jurisdiction over this action under RCW 2.08.010, SCC 7.04.060(2), and
RCW 16.30.060.

Complaint for Injunctive Relief, to
Abate a Nuisance, and to
Impose a Civil Penalty

1

PROSECUTING ATTORNEY
OF SKAGIT COUNTY
605 South Third Street
Mt. Vernon, Washington 98273
360-336-9460

ORIGINAL

1 1.2. Venue of this action is proper in this court under RCW 4.12.010 and RCW
2 4.12.020 as this action involves activities on real property located in Skagit County, Washington,
3 by persons acting within Skagit County.

4 II. PARTIES

5 2.1. Plaintiff Skagit County is now and at all times herein mentioned a duly organized
6 and existing county and political subdivision of the State of Washington.

7 2.2. William Coleburn and Denise Coleburn, husband and wife, reside at 6128 Park
8 Side Drive, Anacortes, Washington.

9 2.3. Predators of the Heart is a Washington nonprofit corporation, UBI number
10 601916640, which maintains a facility at 4709 Welch Lane, Anacortes, Washington.

11 III. BACKGROUND FACTS

12 3.1. William Coleburn is the registered agent and president for Predators of the Heart.

13 3.2. Denise Coleburn is the secretary for Predators of the Heart.

14 3.3. William and Denise Coleburn are the owners of real property at 4709 Welch
15 Lane, parcel number P128398, on Fidalgo Island adjacent to the City of Anacortes (hereinafter
16 the "Property").

17 3.4. Predators of the Heart maintains a facility on the Property.

18 3.5. Predators of the Heart and/or William Coleburn possess or control one or more of
19 the following wild animals on the Property:

- 20 (a) American alligator,
- 21 (b) wild bred cougar,
- 22 (c) captive bred cougar,
- 23 (d) wolf,
- 24 (e) wolf hybrid,
- 25 (f) Arctic fox,
- 26 (g) king cobra (family Elapidae),
- 27 (h) copperheads (family Viperidae),
- 28 (i) cottonmouths (family Viperidae),
- 29 (j) green mamba (family Elapidae),
- 30

1 (k) Black-neck Spitting Cobra (family Elapidae),

2 (l) Diamondback rattlesnakes (family Viperidae),

3 3.6. Predators of the Heart entertains at churches, schools, fairs, libraries, camps and
4 community and corporate events by presenting a "Wild Animal Show."

5 3.7. William Coleburn acts as the host or emcee at the Wild Animal Show during
6 which he handles and exhibits wild animals.

7 3.8. During the Wild Animal Show animals are kept in cages or containers unless
8 removed for handling.

9 3.9. Predators of the Heart advertises that its Wild Animal Show is a "crowd pleasing
10 program [that] incorporates audio, video, and live exhibits."

11 3.10. Predators of the Heart advertises that the animals featured in its Wild Animal
12 Show includes snakes, wolves, alligators, and mountain lion.

13 3.11. Entco International advertises the Predators of the Heart show as "the largest
14 wildlife show available for corporate events" and that "this may be your last opportunity to see
15 such magnificent wild animals in an up-close encounter."

16 3.12. On or about February 7, 2015, Predators of the Heart and William Coleburn
17 exhibited animals including snakes, wolves and/or wolf hybrids, alligators, and mountain lions
18 during the Arlington-Stillaguamish Eagle Festival at the Eagle Creek Elementary School in
19 Arlington, Washington.

20 3.13. On January 29, 2015, the Skagit County Animal Control Officer, served notice
21 via certified and regular mail addressed to Mr. Coleburn at 6128 Park Side Drive, Anacortes,
22 Washington that possession of animals defined as potentially dangerous wild animals under
23 chapter 7.04 Skagit County Code within the unincorporated area of Skagit County was unlawful.

24 3.14. After receiving the letter dated January 29, 2015, via regular mail, Mr. Coleburn
25 talked to Skagit County Sheriff Will Reichardt about the violation.

26 3.15. Predators of the Heart has accepted additional animals that are classified as
27 potentially dangerous wild animals under RCW 16.30.010(2) since 2007.
28
29
30

1 3.16. Wolf hybrids, also known as wolf dogs, which are classified as potentially
2 dangerous wild animals under SCC 7.04.010 have bred and bore litters of puppies while in
3 possession of Predators of the Heart since 2007.

4 3.17. Predators of the Heart is not an institution authorized by the Washington
5 Department of Fish and Wildlife to hold, possess, and propagate deleterious exotic wildlife
6 pursuant to RCW 77.12.047.

7 3.18. Predators of the Heart is not an institution accredited or certified by the American
8 Zoo and Aquarium Association

9 3.19. Predators of the Heart is not a facility with a current signed memorandum of
10 participation with an Association of Zoos and Aquariums species survival plan.

11 3.20. Predators of the Heart is not a duly incorporated nonprofit animal protection
12 organization, such as a humane society or shelters, housing an animal at the written request of
13 the Skagit County animal control authority.

14 3.21. Predators of the Heart is not an animal control authority.

15 3.22. Predators of the Heart is not a veterinary hospital or clinic.

16 3.23. Predators of the Heart is not a holder of a valid wildlife rehabilitation permit
17 issued by the Washington Department of Fish and Wildlife.

18 3.24. Predators of the Heart is not a wildlife sanctuary as defined under RCW
19 16.30.010(5).

20 3.25. Predators of the Heart is not a research facility as defined by the animal welfare
21 act, 7 U.S.C. 2131, as amended, for the species of animals for which they are registered.

22 3.26. Predators of the Heart is not a circus, defined as an incorporated, class C licensee
23 under the animal welfare act, 7 U.S.C. 2131, as amended, that is temporarily in Washington
24 state, and that offer performances by live animals, clowns, and acrobats for public entertainment.

25 3.27. Predators of the Heart is not a person temporarily transporting and displaying a
26 potentially dangerous wild animal through the state with a transit time of not more than twenty-
27 one days.

28 3.28. Predators of the Heart is not a person possessing domesticated animals or native
29 wildlife subject to Title 77 RCW.

1 3.29. Predators of the Heart does not exhibit livestock and agricultural products at fairs
2 approved by the Washington department of agriculture pursuant to chapter 15.76 or 36.37 RCW.

3 3.30. Predators of the Heart does not maintain a game farm meeting the requirements of
4 WAC 232-12-027(1).

5 3.31. Predators of the Heart and William and Denise Coleburn continue to maintain
6 potentially dangerous wild animals on the Property.

7 3.32. As of April 2, 2015, Predators of the Heart and William and Denise Coleburn had
8 20 wolves, 6 cougars, and bobcats at the Property.

9 3.33. On April 2, 2015, Predators of the Heart and William Coleburn held a show in
10 Anacortes where he presented a four foot alligator, a three year old rattlesnake, and a king cobra.

11 3.34. William and Denise Coleburn have also transported to and have possessed, kept,
12 harbored, or had custody or control over potentially dangerous wild animals at their residence in
13 Anacortes, Washington.

14 **IV. FIRST CAUSE OF ACTION – CIVIL PENALTY FOR VIOLATION**
15 **OF RCW 16.30.020**

16 4.1. Skagit County re-alleges and incorporates herein paragraphs 1.1 through 3.34
17 above.

18 4.2. Predators of the Heart maintains wild animals as defined in RCW 16.30.010(2) as
19 potentially dangerous wild animals and which were acquired after July 22, 2007, on the Property.

20 4.3 William Coleburn owns, keeps, possesses, harbors, or has custody or control of
21 potentially dangerous wild animals, as defined in RCW 16.30.010(2), which were acquired after
22 July 22, 2007, on the Property.

23 4.4. Denise Coleburn owns, keeps, possesses, harbors, or has custody or control of
24 potentially dangerous wild animals, as defined in RCW 16.30.010(2), which were acquired after
25 July 22, 2007, on the Property.

26 4.5. Predators of the Heart is liable for a civil penalty of not less than two hundred
27 dollars and not more than two thousand dollars for each animal with respect to which there is a
28 violation of RCW 16.30.020 and for each day the violation has continued.
29
30

1 4.6. William Coleburn is liable for a civil penalty of not less than two hundred dollars
2 and not more than two thousand dollars for each animal with respect to which there is a violation
3 of RCW 16.30.020 and for each day the violation has continued.

4 4.7. Denise Coleburn is liable for a civil penalty of not less than two hundred dollars
5 and not more than two thousand dollars for each animal with respect to which there is a violation
6 of RCW 16.30.020 and for each day the violation has continued.

7 **V. SECOND CAUSE OF ACTION – CIVIL PENALTY FOR**
8 **VIOLATION OF SCC 7.04.030**

9 5.1. Skagit County re-alleges and incorporates herein paragraphs 1.1 through 4.7
10 above.

11 5.2. Predators of the Heart has continued to maintain wild animals as defined in SCC
12 7.04.010 as potentially dangerous wild animals on the Property since January 1, 2015.

13 5.3 William Coleburn has continued to own, keep, possess, harbor, or have custody or
14 control of potentially dangerous wild animals, as defined in RCW 16.30.010(2), on the Property
15 since January 1, 2015.

16 5.4. Denise Coleburn owns, keeps, possesses, harbors, or has custody of control of
17 potentially dangerous wild animals, as defined in RCW 16.30.010(2), on the Property since
18 January 1, 2015.

19 5.5. Predators of the Heart is liable for a civil penalty of two thousand dollars for each
20 animal with respect to which there is a violation of SCC 7.04.030 and for each day the violation
21 has continued.

22 5.6. William Coleburn is liable for a civil penalty of two thousand dollars for each
23 animal with respect to which there is a violation of SCC 7.04.030 and for each day the violation
24 has continued.

25 5.7. Denise Coleburn is liable for a civil penalty of two thousand dollars for each
26 animal with respect to which there is a violation of SCC 7.04.030 and for each day the violation
27 has continued.

28 **VI. THIRD CAUSE OF ACTION – INJUNCTIVE RELIEF**

29 6.1. Skagit County re-alleges paragraphs 1.1 through 5.7 above.
30

1 6.2. Unless a person meets the requirements for an exception listed in RCW
2 16.30.020, the ownership, possession, keeping, harboring, bringing into Skagit County, or having
3 custody or control of any potentially dangerous wild animal within the unincorporated area of
4 Skagit County is a public nuisance. See SCC 7.04.060(1).

5 6.3. Skagit County is entitled to injunctive relief under RCW 7.48.020 to stop
6 defendants from continuing to use the Property to maintain a public nuisance.

7 6.4. Skagit County and the neighborhood, community, and public at large will be
8 irreparably damaged and harmed if an injunction in the form prayed for below is not issued by
9 the court.

10 6.5. Skagit County has no plain, speedy, and adequate remedy at law other than an
11 injunction to stop defendants from continuing the public nuisance.

12 6.6. The use of the Property for the keeping, harboring, or maintaining custody or
13 control of a potentially dangerous wild animal will, unless enjoined, continue to present a public
14 nuisance to the detriment of Skagit County and the public.

15 **VII. FORTH CAUSE OF ACTION – ABATEMENT OF PUBLIC NUISANCE**

16 7.1. Skagit County re-alleges paragraphs 1.1 through 6.6 above.

17 7.2. A violation of SCC 7.04.030 by the ownership, possession, keeping, harboring,
18 bringing into Skagit County, or having custody or control of any potentially dangerous wild
19 animal within the unincorporated area of Skagit County is a public nuisance. See SCC
20 7.04.060(1).

21 7.3. Under RCW 36.32.120 (10), the county may prevent, remove, and abate a public
22 nuisance at the expense of the parties creating, causing, or committing the nuisance, and to levy a
23 special assessment on the land or premises on which the nuisance is situated to defray the cost or
24 to reimburse the county for the cost of abating it and the costs of abatement shall constitute a lien
25 against the property of equal rank with state, county, and municipal taxes.

26 7.4. Because defendants have not removed the potentially dangerous wild animals
27 from Skagit County and should they not do so within a reasonable time, Skagit County should be
28 allowed to go onto the Property and abate the nuisance by seizing the potentially dangerous wild
29 animals and thereafter dispose of them as allowed by law.

1 7.5. Skagit County reserves the right to assert a statutory public nuisance lien for the
2 costs of abatement consistent with all applicable legal authority.

3 **VIII. REQUEST FOR RELIEF**

4 WHEREFORE, Skagit County requests that the court enter judgment against defendants
5 as follows:

6 8.1. Determining that the continued use of the Property to own, possess, keep, harbor,
7 or have custody of control of any potentially dangerous wild animal is a public nuisance that can
8 be permanently enjoined by the court.

9 8.2. Permanently restraining and enjoining defendants from using the Property or any
10 other property in unincorporated Skagit County to own, possess, keep, harbor, or have custody or
11 control of any potentially dangerous wild animal.

12 8.3. Ordering defendants to abate the nuisance by removing all potentially dangerous
13 wild animals from the Property within a reasonable time after judgment, to wit: forty-five days,
14 to a suitable location.

15 8.4. Entering judgment against defendants for accrued civil penalties under either SCC
16 7.04.060(2) in the amount of \$2,000 per day for each violation or RCW 16.30.60 in an amount
17 between \$200 and \$2,000 per day.

18 8.5. Awarding Skagit County its statutory costs and attorney fees incurred in this
19 action.

20 8.6. Awarding Skagit County such other and further relief as may be deemed just and
21 equitable, including, should Predators of the Heart and/or William Coleburn decline to abate the
22 nuisance themselves, an order authorizing Skagit County Animal Control Authority to enter the
23 property and seize any potentially dangerous wild animals.

24 Dated this 9th day of April, 2015.

25 RICHARD A. WEYRICH
26 SKAGIT COUNTY PROSECUTING ATTORNEY

27 By:


28 
29 A.O. DENNY, WSBA 14021
30 Deputy Prosecuting Attorney

EXHIBIT H

May 24, 2022

David A. Perez
DPerez@perkinscoie.com
D. +1.206.359.6767
F. +1.206.359.7767

VIA EMAIL & EXPRESS MAIL

Ashley Carr
13658 Harbor Lane
Anacortes, WA 98221
acarr@predatorsoftheheart.com

Predators of the Heart
4709 Welch Lane
Anacortes, WA 98221
admin@predatorsoftheheart.com

Re: Predators of the Heart: Demand to Cease and Desist Nuisances

Dear Ms. Carr:

We are litigation counsel to the following Welch Lane residents: Nolan Berlin and Millicent Swietzer, Edward and Lynne Borlin, David and Pamela Knutsen, and Kevin and Jenny Welch. We write to you in your capacity as owner and/or operator of Predators of the Heart ("Predators," and, collectively, "you" or "your").

On behalf of our clients, we demand that you cease and desist various unlawful acts and omissions at the Predators facility, located at 4709 Welch Lane, including the possession, display, and breeding of myriad dangerous wild animals, your failure to maintain adequate enclosures, and your failure to prevent excessive noise. As you are aware (and contrary to the representations in your most recent Special Use Permit application) this conduct has already led to numerous public health and safety issues. Such issues include escapes by dangerous wild animals, the destruction of a law enforcement vehicle, and the killings of domestic dogs. This conduct continues to threaten the physical safety and emotional well-being of those living in and visiting the Welch Lane community and its nearby forestlands.

The above-mentioned acts and omissions each constitute a nuisance under Washington law. RCW §§ 7.48.010, .120, .130, .150; *see Grundy v. Thurston Cnty.*, 155 Wn.2d 1, 6, 117 P.3d 1089 (2005). As an initial matter, your conduct violates numerous

statutes, ordinances, and regulations intended to protect “the rights of an entire community or neighborhood” from nuisances. RCW § 7.48.130 (defining public nuisance); *see, e.g.*, RCW §§ 16.30.010, .030(1) (barring possession of potentially dangerous wild animals, including wolves, captive-bred cougars, alligators, and various venomous snakes); SCC §§ 7.04.030, .060 (same, including wolf hybrids, and deeming violations a public nuisance);¹ RCW § 16.30.030(2) (prohibiting, without exception, the breeding of potentially dangerous wild animals); WAC § 220-450-030(11)(a) (deeming escaped wildlife a public nuisance); RCW § 7.48.140, (1) (deeming deposited animal carcasses a public nuisance); WAC § 173-60-040 (setting forth impermissible noise levels); SCC § 9.50.040 (same). Each of these violations constitute a separate *per se* public nuisance; that is, one “that is not permissible under any circumstances.” *See Kitsap Cnty. v. Kitsap Rifle & Revolver Club*, 184 Wn. App. 252, 277, 337 P.3d 328 (2014).

Moreover, your acts and omissions unreasonably and substantially interfere with both public and private rights, harming (or threatening to harm) the Welch Lane neighborhood and visitors to the Anacortes Community Forest. Operating Predators in a manner that threatens the physical safety and mental well-being of those in the surrounding community is plainly an unreasonable intrusion into the use and enjoyment of public and private land. *See Grundy*, 155 Wn.2d at 6; RCW § 7.48.120. Simply put, if an escaped wolf can kill a dog, that same wolf can kill a child. That’s an unacceptable risk to our clients’ safety and well-being.

We further note that certain members of the Welch Lane community who previously attempted to resolve these issues informally, and without resort to lawyers or litigation, were threatened by William Coleburn and his associates with physical violence. That sort of unlawful harassment must immediately cease. If it continues in any form, we will pursue all available legal remedies, including a civil lawsuit and a referral to law enforcement.

In sum, we demand that you confirm within the next **10 calendar days** that you have (1) withdrawn your pending Special Use Permit application; (2) removed all signage on Welch Lane directing traffic to your facility; and (3) halted all public animal encounters (and agree to not continue them). We further demand that you confirm within the next **30 calendar days** that you have begun the process of ceasing the above-

¹ There are no applicable exceptions to this prohibition. Predators is not a humane society or shelter; it breeds animals, offers paid public tours, and primarily houses animals that are *not* rescues. *See* SCC 7.04.020; RCW 16.30.020(1)(c). Nor is the “state fair” exception applicable during the 362 days a year that you are not displaying your animals at any fair. *See* RCW 16.30.020(1)(l); SCC 7.04.020. Lastly, Predators is not a nonprofit wildlife sanctuary (RCW 16.30.010(5); SCC 7.04.020), but rather a commercial operation centered around direct contact between the public and your animals.

mentioned nuisances—including your possession of any and all potentially dangerous wild animals (as defined by Washington and Skagit County law, and including, but not limited to, wolves, wolf hybrids, cougars, and alligators), and that you confirm within the next **90 calendar days** that the above-mentioned conduct has terminated. Absent such confirmation, we intend to pursue our claims in a court of law.

In the meantime, our clients reserve all rights in law and equity. If you would like to discuss this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'David A. Perez', with a stylized, flowing script.

David A. Perez

cc: Alison R. Caditz, Perkins Coie LLP
Hannah Parman, Perkins Coie LLP
Nolan Berlin & Millicent Swietzer
Edward & Lynne Borlin
David & Pamela Knutsen
Kevin & Jenny Welch

With a copy to:

William Coleburn
4709 Welch Lane
Anacortes, WA 98221

Denise Coleburn
6128 Parkside Drive
Anacortes, WA